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# THE SOUTHWESTERN POLITICAL AND SOCIAL SCIENCE QUARTERLY

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## SCHOOLS OF SOCIOLOGY<sup>1</sup>

BY L. L. BERNARD

*Washington University*

### I

I believe there never has been a time more fit for stock taking and the evaluation of probable trends in the future of sociology than the present. The old speculative era in sociology is now practically closed and positive advance in the direction of factual analysis and inductive generalization is rapidly taking place. The sociologists, who were so often the butt of the somewhat acrid jokes of the historians, economists, and political scientists of a generation ago, have succeeded in supplying the last two social sciences with the methods for transforming their outworn classical speculations into institutional economics and political psychology respectively, and even history is transforming herself in no small measure into so-called "current social history." Anthropology is rapidly becoming social anthropology or cultural sociology, and sociological jurisprudence threatens to remold the tradition of the common law into an understandable theory of justice and a practicable instrument of human social adjustment. The theory of education is being changed from the art of school keeping into a sociological science of curriculum-making and socialized personality building. A subject which has played never a secondary rôle in the rehumanization of so many sister social sciences may well pause to examine the fundamental principles and trends of its methods and subject matter and seek perspective for its future development by means of a glance at the major schools of theory of the past.

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<sup>1</sup>Address delivered before the section on sociology of the Southwestern Political and Social Science Association, Dallas, Texas, April 19, 1930.

## II

Since the time of the great Greek enlightenment there have been schools of social philosophy, although we may not properly regard these early schools as sociological in a scientific sense. The ancient schools were primarily metaphysical. The earliest of these was initiated by the Sophists and may be called the Critical School of social philosophy, for its function was to replace the old traditional and mythological explanations of human relations by an account which could be expressed in terms of human relations themselves and explained as the product of human reason.<sup>2</sup> Protagoras insisted that man (not the gods) was the measure of all things and that public opinion is the chief guide and moralizing agency of civilization.<sup>3</sup> Socrates constantly invoked the principle of reason as over against the voice of tradition,<sup>4</sup> and although he paid for his theory, which was supposed to be irreligious and to corrupt the youth, with his life,<sup>5</sup> his message has never been forgotten. Epicurus implied that society was of human origin by advancing a theory of social contract,<sup>6</sup> while the philosopher Lucretius boldly asserted an evolutionary scheme by which society developed<sup>7</sup> and proclaimed that man made the gods,<sup>8</sup> meaning of course the Greek gods, which were those of his people. These social philosophers of the critical school created a culture history and a new logic of social thinking to serve as a bridge over which to bring the procession of human social thought from an old

<sup>2</sup>See Bernard, L. L., "The Development of Methods in Sociology," *The Monist*, XXXVIII, 292-320 (April, 1928); Benn, A. W., *The Greek Philosophers*, Ch. IV.

<sup>3</sup>Adamson, Robt., *The Development of Greek Philosophy*, 69-71, 177; Bakewell, C. M., *Source Book in Ancient Philosophy*, 67; Zeller, E., *A History of Greek Philosophy . . . to the Time of Socrates*, II, 449, 451.

<sup>4</sup>Zenophon, *Memorabilia*, Book I; Adamson, *op. cit.*, 73-77; Benn, *op. cit.*, 119-132; Zeller, *op. cit.*, I: 171-172; Bakewell, *op. cit.*, 213-216.

<sup>5</sup>Marchant, E. C., *Zenophon, Memorabilia and Oeconomicus*, viii-ix, 3-39.

<sup>6</sup>Taylor, A. E., *Epicurus*, 92-93; Zeller, E., *The Stoics, Epicureans and Sceptics*, 490; Hicks, R. D., *Stoic and Epicurean*, 177-181.

<sup>7</sup>Lucretius, *De Rerum Natura*, Bk. V, 135-151 (H. A. J. Munro's translation). Epicurus had earlier stated a theory of evolution (Benn, *op. cit.*, 398-400).

<sup>8</sup>*Loc. cit.*, 144-145, also Bk. I, 4; Bk. II, 32, 43, 54. Earlier still Prodicus had considered the popular divinities but personifications of natural phenomena (Benn, *op. cit.*, 67) and Protagoras had been forced to leave Athens for doubting the existence of the gods (Bakewell, *op. cit.*, 67; Benn, *op. cit.*, 74).



mythology to a new theory of society built upon a metaphysics of reason.

The men of this school necessarily did more in the way of clearing the ground for a new social structure than in actually rearing it. This more constructive work was to be performed by their successors of the Idealistic or Utopistic school. They built on the ground cleared by their analytical predecessors. It is of the greatest significance that the first real treatise on human society, Plato's *Republic*, should have been a confessed attempt to describe an ideal society founded on reason instead of on tradition.<sup>9</sup> The greatness of Plato as a social philosopher is not to be measured by the adequacy of his social model for our age, or indeed for any age, but by the boldness and the novelty of his idealistic vision. The impulse thus given to visualize a new social order engendered in the principles of reason and freed from the tyranny of the dead hand of the past did not quickly die, but has come down to the present day, perhaps with renewed strength, in spite of all of the plans for privilege that pervert the name of righteousness in our time. The theories of universal brotherhood<sup>10</sup> and of a society based on natural logic of the Stoics<sup>11</sup>; the voice of Jesus crying out in a wilderness as broad as the world and as long as all time since that day, that not ritual but life is the measure of righteousness,<sup>12</sup> epitomizing his doctrine in the phrase, "The sabbath was made for man, and not man for the sabbath";<sup>13</sup> the visions of More,<sup>14</sup> of Francis Bacon,<sup>15</sup> of Campanella from his prison,<sup>16</sup> and of the countless reformers of our body social growing ever greater in number, bear witness to the strength of this stream of human idealism which has now become a great river, perhaps some day to become the sea.

But if these men were dreamers rather than scientists, the ancient world was also not without its systematic social philosophers. There was Aristotle,<sup>17</sup> who disciplined the enthusiasm of

<sup>9</sup>Loc. cit., Bk. V, pp. 203, 167, Bk. II, p. 58. (A. L. Burt Ed. used.)

<sup>10</sup>Zeller, E., *Stoics, Epicureans, and Sceptics*, 326-329; Hicks, op. cit., 142.

<sup>11</sup>Bakewell, op. cit., 272-277; Zeller, E., *Outlines of the History of Greek Philosophy*, 243-255; Bevan, Edwyn, *Stoics and Sceptics*, 65-66.

<sup>12</sup>John 3:1-21; Matthew 5:1-10, 16-23; 6:1-34; 7:1-21; Luke, 11:37-52.

<sup>13</sup>Mark 2:27.

<sup>14</sup>*Utopia* (1516).

<sup>15</sup>*The New Atlantis* (1617).

<sup>16</sup>*The City of the Sun* (1623).

<sup>17</sup>See especially *The Politics*, and also *The Ethics*, with less certainty.

his master Plato with the rigors of investigation and logic.<sup>18</sup> He perhaps was, methodologically speaking, our first constructive sociologist. He studied and described things as they were in the concrete in order that he might induce principles for the moulding and control of the future of society. He laid the foundations, although somewhat meagre and sometimes unsound, on which social philosophy was to be built by the best architects for more than a thousand years—in fact, in many instances, until well into the nineteenth century. If at last in the Middle Ages his method was perverted into the scholastic sterility of verbal analogy, as is so often evident for example in the thinking of Dante,<sup>19</sup> or if in all times his theory of the four-fold relations<sup>20</sup> has been canonized into an *ipse dixit* by professional defenders of the *status quo*, it is but another evidence of the fact that all things—even philosophy—should change and be rejuvenated by new methods and new basic ideas.

### III

These much needed new methods and new ideas came into being with the rebirth or renaissance which has characterized all modern thinking. If the old schools of social philosophy were characteristically metaphysical, appealing as they did to an absolutistic and a prioristic reason as against mythology and tradition, the new schools arising out of the renaissance have been primarily and increasingly inductive and scientific, appealing to fact as against a prioristic logic and artificial absolutistic values. Of the ten new schools that I shall outline briefly here, only the first two may be regarded as primarily metaphysical and deductive. The other eight attempted to be inductive and were either characterized by increasing success or were finally abandoned.

The first of the new metaphysical schools, that of the Social Contract, was not entirely new. It had well determined roots in the theories of Epicurus, who sought to build an interpretation of society which would place the emphasis upon human interrelationships rather than upon the relationship of man to some

<sup>18</sup>Aristotle makes frequent attempts at what may be termed specific induction, using the method I have called informal statistics. See Bernard, *op. cit.*, *The Monist*, XXXVIII: 295-299, 310-311.

<sup>19</sup>See his *De Monarchia*. He reasons about social relations mainly by analogy, and frequently from insecure or irrelevant premises.

<sup>20</sup>*Politics*, Bk. I, sec. 3; Bk. VII, sec. 14; Bk. III, sec. 6.

personality or power outside of himself and his functional setting.<sup>21</sup> Unhistorical and aprioristic as was this theory of the social contract, it served the purpose for which it was invented—that of freeing man's social relationships from control by external and hostile authority—and then it disappeared into that archeological museum of theories which are the delight of the especially erudite. In more recent times it has been given a renewed quasi existence in the form of the tendency from status to contract, as Henry Sumner Maine described it.<sup>22</sup> As an historical explanation of social origins it has of course never had any standing; but as a fictional device to secure a new orientation of human development it was very effective.

The Ethical-Philosophical school which matured in the theories of the French and Scotch philosophers of the seventeenth and eighteenth centuries proved to be a genuine forerunner of modern sociology.<sup>23</sup> The "law of nature and of nations,"<sup>24</sup> and its eighteenth century philosophical offspring, the social-ethical-theological discipline of moral philosophy,<sup>25</sup> were together the

<sup>21</sup>See note 6, above.

<sup>22</sup>*Ancient Law* (5th Ed., 1875), p. 170.

<sup>23</sup>Such writers as Cudworth (1617-1688), Malebranche (1638-1715), Shaftsbury (1671-1713), Bishop Butler (1692-1752), Hutcheson (1694-1746), Helvetius (1715-1771), Adam Smith (1723-1790), and Price (1723-1791) developed many of the psycho-social and ethical concepts, such as sympathy, benevolence, altruism, and enlightened self-interest, which came down to the early sociologists, sometimes through the Utilitarians, such as Bentham and J. S. Mill, and sometimes through the neo-Utilitarians, such as Spencer, Bain, and Leslie Stephen.

<sup>24</sup>The Law of Nature was expounded at this time primarily by the theorists who dealt with the Law of Nations (Grotius, *De Jure Belli ac Pacis*, 1625; Pufendorf, *De Jure Naturae et Gentium*, 1704; Vattel, *Le droit des gens, ou, principes de la loi naturelle*, 1758, and Burlamaqui, *Principes du droit naturel*, 1747, Eng. tr. 1748); by Pufendorf, in *De Officio Hominis et Civis juxta Legem Naturalem* (1682); and by the theologians, such as Bossnet (*Discours sur l'histoire universelle*, 1681), who sought an ethical basis for institutional theology. For an early semi-positivistic criticism of the natural law approach, see Rachel, S., *De Jure Naturae et Gentium Dissertationes* (1676).

<sup>25</sup>Paley (*Principles of Moral and Political Philosophy*, 1785), George Combe (*Moral Philosophy*, 1840), and Francis Wayland (*Moral Science*, 1835) were representative and outstanding moral philosophers in Scotland and the United States who wrote treatises on moral philosophy, dealing with social relations other than those embodied in international law and property in a way to indicate that they were developing a more realistic discipline to succeed the old idealistic philosophy of natural law.

nearest approach to a study of social problems that appeared before the middle of the nineteenth century. Early in the fourth quarter of that century a shift in intellectual orientation from the philosophic and metaphysical to the scientific,<sup>26</sup> and the previous appearance of the new discipline called Social Science,<sup>27</sup> caused moral philosophy as a college discipline to break up and to be re-distributed into a number of other subjects, particularly into Social Science, ethics, social ethics, Christian ethics, Christian sociology, and secular sociology, the last named especially in the forms of charities and penology. The function of moral philosophy, as of its predecessor the law of nature, had been to substitute an ethical and constructive viewpoint in dealing with human relations for the old formal and legalistic viewpoint which had sprung from the practice of social control through custom and tradition. The conflict between natural law and positive or common law theories was always marked,<sup>28</sup> and the struggle of natural law for dominance over positive or political law in the control of human affairs was in essence a struggle of functional ethics against tradition, and it was not unrelated in its origin to the struggle of the papacy to control the civil power, which at its best may have meant somewhat the same thing. Moral philosophy was in some sense the Protestant analogue of the Catholic natural law in this struggle of the spiritual to dominate the temporal and the material. If the struggle in this metaphysical form was lessened by the disappearance of the old moral philosophy toward the end of the nineteenth century it was only because of the rise

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<sup>26</sup>Auguste Comte is universally conceded first to have stated unequivocally the philosophy of the inductive approach as over against the old aprioristic philosophical approach to the integration of social science disciplines, but it remained for others actually to apply this approach to the social sciences and especially to sociology.

<sup>27</sup>Henry C. Carey published the first work under this title, *The Principles of Social Science*, 3 vols., 1858-1860.

<sup>28</sup>As late as the third quarter of the nineteenth century discussion as to the relative merits of these two approaches to municipal law was running in *The American Law Review*. The strong agitation during this period by Mr. Dudley D. Field and other members of the American Bar Association for codification of the common law had as its root the same reaction against the uncertainty of case law as the natural law movement had. The new scientific theories of sociological jurisprudence set forth by Pound and his school have in large measure robbed the older metaphysical natural law protests of their reason to be.



of a social science to continue the struggle on a non-metaphysical or scientific basis.

The other later schools of social philosophy and of sociology have been increasingly, if not exclusively, inductive or scientific in approach. The Philosophy of History school, which had its first definite formulation in the *Scienza Nuova* of Vico in 1725, was an attempt to discover the supposed uniformities or natural laws in human society by an examination of historic data.<sup>29</sup> Although based on a metaphysical assumption of an underlying uniform natural order of society, the method employed to discover this natural order was ostensibly inductive.<sup>30</sup> The new philosophy of history, which promised so much at this time for the better understanding and guidance of human society was extremely popular for a period of something over one hundred years. It was especially popular in France, where interest in the study of mankind was then greatest.<sup>31</sup> But it was destined to fail to afford the guidance needed, especially in an increasingly complex age in which ceaseless change threw a larger problem of explanation upon the present than upon the past. The interpretation of historical data thus proved inadequate as the basis of a sociology, because of the insufficiency and inaccuracy of the historical data themselves, and especially because it was not history but the present that men wished to understand.<sup>32</sup> A hundred years ago the historians turned from generalization to research and verification,<sup>33</sup> and today they are turning from history to contemporary data, following the lead of the sociologists. With the increased supply of historical data, as the result of a century of research, there has recently been something of a trend back toward the inductive generalization of historical data, but this movement has been undertaken more often by the historians than by the sociol-

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<sup>29</sup>See also Robt. Flint's comments on this point in his *Vico* (1885).

<sup>30</sup>He employed the data of classical literature and of history as bases for his generalizations.

<sup>31</sup>Bossuet, Turgot, Montesquieu, Voltaire, Mably, Rousseau, Condorcet, Saint-Simon, Comte, in France; Lord Karnes and Adam Ferguson, in Scotland; and Herder, Schlegel and Hegel, in Germany were representative philosophers of history who influenced the early sociologists.

<sup>32</sup>See Bernard, "Development of Methods in Sociology," *Monist*, XXXVIII, 304-305.

<sup>33</sup>See Small, A. W., *The Origins of Sociology* (1924) for a discussion of the influence of the German critical historical school upon sociology.

ogists proper, who are engaged primarily in the generalization of contemporary data.<sup>34</sup>

Moreover, it began to be apparent to men in the eighteenth century that human behavior was not predetermined abstractly in the womb of the universe according to a universal cultural pattern (natural law), but that it varied everywhere and at all times according to the circumstances of the environment, especially of the natural environment. This recognition gave rise to the school of Anthropogeographers, of whom Montesquieu<sup>35</sup> is universally recognized as the first extensive systematizer, although not the first precursor.<sup>36</sup> Although brilliant work was done by Buckle,<sup>37</sup> Ratzel,<sup>38</sup> Semple,<sup>39</sup> Huntington,<sup>40</sup> and many others in this field, it has long been recognized that not natural environment, but the social environment, is of predominate importance in determining the social behavior of man. In spite, however, of this evident pre-eminence of the social environment in the determination of collective behavior, it was not until within the last decade that there has been any consistent attempt to analyze and classify the social environments.<sup>41</sup> The best impetus of the old anthropogeography is now being absorbed and transformed by the new sociological

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<sup>34</sup>F. W. Blackmar's *History of Human Society* (1926), first published as *The Story of Human Progress* (1896), is an example of this type of historical generalization by a sociologist who was, however, trained at Johns Hopkins in history.

<sup>35</sup>*The Spirit of Laws* (1748).

<sup>36</sup>Among early precursors must be mentioned Ibn Khaldun (*Histoire des Berbères*, 1852-6; *Muqaddama*, 1858), and Jean Bodin (*Six livres de la République*, 1576), and perhaps even Dante and Machiavelli (*History of Florence*, 1521-1525 and *Discourses on the Decades of Livy*).

<sup>37</sup>*History of Civilization in England* (1857-1861).

<sup>38</sup>Friedrich Ratzel, *Anthropogeographie* (1882-1891) and *Politische Geographie* (1897).

<sup>39</sup>Ellen C. Semple, *Influences of Geographic Environment* (1911).

<sup>40</sup>Of the numerous works of Ellsworth Huntington falling within this field, his *Civilization and Climate* (1915) and *The Climatic Factor as Illustrated in Arid America* (1914) may perhaps be cited as the most systematic and quantitative.

<sup>41</sup>See Bernard, "A Classification of Environments," *Amer. Jour. Sociol.*, XXXI: 318-32 (November, 1928). See also other less complete attempts in Babcock, D. C., *Man and Social Achievement*, 21-41 (1929); Seligman, E. R. A., *Principles of Economics* (1907), Chs. II-III; Abbot, E. S., "The Biological Point of View in Psychology and Psychiatry," *Psy. Rev.*, XXIII: 122-123.

field known as human ecology<sup>42</sup> and is continued in what is now called human or social geography.

The Biological school, which is a product primarily of the nineteenth century, has had many branches or phases. The oldest form is the doctrine of instinct, which was in its origin an attempt only partly conscious, to maintain on a naturalistic basis the metaphysical doctrine of the predestination of human behavior and the predetermination of human behavior patterns in the germ plasm.<sup>43</sup> This metaphysical dogma, masquerading as scientific naturalism, has been only recently exploded,<sup>44</sup> and the echo is just now beginning to disturb the slumbers of some of the more sleepy sociologists. The biological analogy of the organismic theorists, espoused early in his career by Spencer,<sup>45</sup> and later by Schäffle,<sup>46</sup> Lilienfeld,<sup>47</sup> and others,<sup>48</sup> was perhaps never regarded as anything more than a convenient method of illustrating by means of an analogy the unity and interdependence of men and of institutions in society. The Eugenics theory, which assumed the inheritance of all desirable mental, moral, and social traits and the possibility of breeding them selectively,<sup>49</sup> has now gone the way largely of the theory of instinct.<sup>50</sup> It is finally recognized that the building of desirable societies is primarily a euthenic or

<sup>42</sup>See McKenzie, R. D., "The Scope of Human Ecology," *Publications of American Sociological Society*, XX: 141-154 (1926), and Bernard, L. L., "Introductory Statement Regarding Human Ecology and Population," *Ibid.*, XXIII: 30-34 (1929).

<sup>43</sup>Compare Lundberg, G. A. (Ed.), *Trends in American Sociology* (1929), 43, 85-100.

<sup>44</sup>Bernard, L. L., *Instinct: A Study in Social Psychology* (1924); also Lundberg (Ed.), *op. cit.*, pp. 45-46, 93-95, 124-126.

<sup>45</sup>*Principles of Sociology*, I, Part II (1876).

<sup>46</sup>*Bau und Leben des sozialen Körpers* (1875-1878).

<sup>47</sup>*Gedanken über die Sozialwissenschaft der Zukunft* (1878-1881).

<sup>48</sup>See Coker, F. W., *Organismic Theories of the State* (1910).

<sup>49</sup>See Davenport, C. B., *Heredity in Relation to Eugenics* (1911), Kellcott, W. E., *The Social Direction of Human Evolution* (1911), and Goddard, H. H., *Feeble-Mindedness* (1914), and *The Kallikak Family* (1919) as excellent instances of the exaggeration of the inheritance viewpoint.

<sup>50</sup>See an interesting statement of social evolution from the cultural standpoint (barring an obvious misuse of the term instinct) in Conn, H. W., *Social Heredity and Social Evolution* (1914). Davenport ("Chromosomes, Endocrines and Heredity," *Scientific Monthly*, XX: 491-498, 1925) and Jennings ("Heredity and Environment," *Ibid.*, XIX: 225-238, 1924) have recently warned against overworking the hypothesis of heredity in human affairs.

cultural rather than primarily a eugenic or biological inheritance problem. Biology has its place, but its place is primarily in biology rather than in sociology.

The Practical or Applied schools of sociology are also fairly numerous. They began, as previously remarked, in moral philosophy, where such subjects as poverty, crime, domestic relations, education, and democracy or government were discussed.<sup>51</sup> The new synthetic subject of Social Science appeared at about the middle of the nineteenth century,<sup>52</sup> being drawn together from moral philosophy, political economy, and the subject matter of various social problems which were then making their appearance due to the maturing of the industrial revolution.<sup>53</sup> I have shown elsewhere<sup>54</sup> how courses in Social Science sprang up in the colleges and universities in the seventies and eighties, and how departments of Social Science began to be established. But this movement passed its zenith about 1890 and began to give way to sociology, and especially to applied sociology, including such courses as criminology, charities, immigration, labor problems, and social legislation. This Social Science movement had also given birth to the National Prison Association<sup>55</sup> and to the National Conference of Charities and Correction,<sup>56</sup> the latter of which especially fostered the movement now known as social work,<sup>57</sup> which is itself developing into an academic discipline more or less sociological in character.

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<sup>51</sup>The social science content of the moral philosophies is mainly sociological, since international law had achieved separateness as a discipline since the time of Grotius and political economy from the publication of *The Wealth of Nations* (1776). Problems of citizenship and democracy, like the general run of social problems which had not yet risen to the dignity of separate disciplines before the eighteen-eighties, still remained semi-ethical questions, and therefore were included in the textbooks on moral philosophy. Francis Lieber, then teacher of moral philosophy in the College of South Carolina, published in 1838 a vast extension (in two volumes) of the chapters on citizenship and democracy usually included in these moral philosophies under the title of *Political Ethics*.

<sup>52</sup>The first work on the subject was by Carey (see note 27), but the first independent course in Social Science was probably offered at Pennsylvania, 1869-1870.

<sup>53</sup>See *Encyclopedia of the Social Sciences*, I (1930), p. 333.

<sup>54</sup>*Southwestern Political and Social Science Quarterly*, IX: 269-277 (1928).

<sup>55</sup>Organized in 1870.

<sup>56</sup>Organized in 1879.

<sup>57</sup>See Steiner, J. F., *Education for Social Work* (1921); also *Encyclopedia of the Social Sciences*, I: 346.



The Social Science movement, technically speaking, had attempted to be systematic rather than vaguely philosophic and discursive.<sup>58</sup> Consequently it gave indirectly a strong impetus to what may be called the Methodological school of sociology in its early phases. Statistics had received attention before the founding of the American Social Science Association in 1865,<sup>59</sup> but this organization rehabilitated the subject and gave a new impetus to the American Statistical Association.<sup>60</sup> It also gave to the statistical method abundant problems to work with. Carroll D. Wright applied the method to his labor studies<sup>61</sup> and under Mayo-Smith at Columbia Social Science and statistics became almost indistinguishable.<sup>62</sup> It was in connection with practical or applied sociology that the statistical method has had its chief application to sociology until recently. It is now applied to pure science studies or research in sociology as well, both in the form of social surveys and in the correlation of specialized data. As a result of practical work with statistics it became evident that there was much sociological material that could not be effectively sampled for statistical manipulation. To handle this material as adequately and as rigorously as possible, in the absence of an accurate sampling process, the case method of intensive and comparative study was perfected.<sup>63</sup> Some case method enthusiasts were for a while inclined to regard case studies as superior to statistical studies,<sup>64</sup> but it is now pretty generally agreed that the case

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<sup>58</sup>Men from several of the older sciences, including mathematics, geography, physics, and chemistry, had joined the movement in the hope of developing a dependable and quantitative science of society. See *Encyclopaedia of the Social Sciences*, I: 339, and *Southwestern Pol. and Social Sci. Quart.*, IX: 268-269.

<sup>59</sup>A national statistical association had been formed in 1839, but interest declined during and before the Civil War.

<sup>60</sup>Its active program began in 1888.

<sup>61</sup>As chief of the Massachusetts Bureau of Statistics of Labor (1873-1888) and as U. S. Commissioner of Labor (1885-1905).

<sup>62</sup>He seems to have used the terms interchangeably and his course in Social Science at Columbia was primarily statistical in content. His *Statistics and Sociology* (1895) and *Statistics and Economics* (1888, 1899) grew out of this course.

<sup>63</sup>The case method is one of the oldest methods used in social science. See *Monist*, XXXVIII: 307-308.

<sup>64</sup>The Park Chicago School held this view. See Burgess, E. W., "Statistics and Case Studies as Methods of Sociological Research," *Sociology and Social Research*, XII: 99-120 (1927).

method is applicable primarily to the analysis of either extremely irregular or highly uniform types of phenomena and is usually preliminary to statistical generalization rather than a normal substitute for it. Both methods function constantly in modern scientific or inductive sociological investigation.

The Psychological school of sociology developed originally to supplement the anthropogeographic and the philosophy of history schools. It became necessary on the one hand to work out the method by which social principles and institutions manifested themselves in the minds of men in the process of historical development. Vico gave much attention to this question, asserting that the Greek and Roman divinities symbolized social concepts and values,<sup>65</sup> and Vico's successors extended his psycho-sociological interpretations.<sup>66</sup> On the other hand, when it began to be manifest that the natural environment was not the direct cause of collective behavior, men like Bagehot,<sup>67</sup> and Tarde,<sup>68</sup> Le Bon,<sup>69</sup> and Ross<sup>70</sup> began to study the mechanics of psycho-social processes. It was these collective psychologists who first gave form and definition to the psychological school of sociology, although it is doubtful if they were very conscious of the fact that they were dealing with a form of social environment and that they were substituting this social environment in their explanatory sociological theory for the old natural environments of the anthropogeographers. It is absolutely certain that they never made the evolutionary connection between the natural environments and the psycho-social environment or understood how the latter was derived from the former.<sup>71</sup>

When the psychological school of sociology passed out of the stage of collective psychological analysis into that of the study of the development of personality traits as a phase of the individual's adjustment to his psycho-social and other cultural environments,<sup>72</sup> the psychological school began to merge into the

<sup>65</sup>*Scienza Nuova*. See Robt. Flint's comments in his *Vico* (1885).

<sup>66</sup>See Flint, Robt., *History of the Philosophy of History* (1894).

<sup>67</sup>*Physics and Politics* (1879).

<sup>68</sup>*Laws of Imitation* (1890, Eng. tr., 1903); *Etudes de psychologie sociale* (1898).

<sup>69</sup>*The Crowd* (1895); *Lois psychologiques de l'évolution des peuples* (1894).

<sup>70</sup>*Social Control* (1901); *Social Psychology* (1908).

<sup>71</sup>See Bernard, L. L., "Culture and Environment," *Social Forces*, VIII: 327-334, ff. (1930).

<sup>72</sup>*Ibid.*, 331-334. See also, Bernard, L. L., *An Introduction to Social Psychology*, Ch. VI (1926).

behavioristic school on the one hand and into the cultural school on the other. The behavioristic and the cultural schools are now dominant in sociology and they will therefore claim more attention than the other schools treated in this paper.

The Behavioristic school is not, as some of the surviving adherents of the older schools appear to imagine, chiefly concerned with destructive criticism and in particular with an attempt to destroy social values and social adjustments.<sup>73</sup> This view of the matter is based on what seems to be a complete misapprehension of the motives and aims of the behavioristic school.<sup>74</sup> Its members are concerned first and last with an analysis of the methods by which the individual born into a social world achieves an effective adjustment to that world. The study of this problem involves an analysis of the social environments into which the individual is born and which condition and therefore integrate his personality.<sup>75</sup> It analyzes and describes the adjustment processes which are utilized in this conditioning-adaptation process. It studies both culture patterns and behavior patterns. And, finally, it analyzes the mechanics of collective or group contacts and organization which serve as the conditioning processes within which the developing personality achieves his mental and moral and social majority, or fails to achieve it. Thus it is clear that the behavioristic sociologist, concerned as he is with the mechanics of the adjustment process, is the most constructive and the least destructive of all sociologists. If by chance he discovers some old culture patterns that serve as poor or positively bad ideals and some behavior patterns that are positively inefficient means of adaptation and adjustment, surely society is but the gainer by having these facts pointed out and by having better patterns indicated for its use.

Human ecology, which owes so much to a reconstitution and to a functionalization of the old anthropogeography,<sup>76</sup> with the in-

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<sup>73</sup>See King, W. P. (Ed.), *Behaviorism: A Battle Line* (1930); also Hemelt, T. M., *Final Moral Values in Sociology* (1929).

<sup>74</sup>For another very patent failure to grasp the meaning of behaviorism for sociology see Sorokin's discussion in his *Contemporary Sociological Theories* (1928), 617-635.

<sup>75</sup>See Bernard, L. L., *Introduction to Social Psychology*, Part II.

<sup>76</sup>See *Publications of American Sociological Society*, XXIII: 33-34; also, Lundberg (Ed.), *Trends in American Sociology*, 67, 109 (1929).

troductio of the concept, or at least the fact of coadaptation<sup>77</sup> and interconditioning,<sup>78</sup> is a phase of behaviorist sociology. It is a term used to describe some of the wider collective responses to all types of environment as well as the mechanics of individual adjustment and personality integration and interchange. The latter may properly be described as social psychology, as it is now understood by the sociologist, as distinguished from individual psychology. Early essays in this behavioristic direction were undertaken by Baldwin<sup>79</sup> and Cooley,<sup>80</sup> while a more conscious attempt at a behavioristic development of social psychology from the adjustment standpoint may be found in the writer's work by that name.<sup>81</sup> The completest attempt at a behavioristic sociology covering the human ecology rather than the specifically psychological aspects, is undoubtedly the Dawson and Gettys text.<sup>82</sup>

The Cultural school of sociology has also appropriated much from the old psychological school, more even than has the behaviorist school. It has borrowed almost intact the old collective psychology's concept of the social environment, without naming

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<sup>77</sup>The term coadaptation as originally employed by the writer meant the coöperative adjustment of men to environment. Later Ellwood used the term to signify adjustment of men to one another. My use of the term was originally meant to imply that the adjustment of men to one another was derivative, i.e., primarily the result of the necessity of making a common adjustment to the same conditions or situations.

<sup>78</sup>I introduced the concept of interconditioning of responses (*Encyclopaedia of the Social Sciences*, article "Social Attitudes," 1930) to indicate (1) the method of adjustment of people to one another in the coadaptive adjustment process, and (2) that such coadaptive adjustment is not by a simple, but by a compound, conditioning and reconditioning of responses.

<sup>79</sup>*Mental Development in the Child and the Race* (1895) and *Social and Ethical Interpretations in Mental Development* (1897).

<sup>80</sup>*Human Nature and the Social Order* (1902).

<sup>81</sup>*An Introduction to Social Psychology* (1926). The whole emphasis in this work is upon the constructive adjustment of the personality to its environments and the transformations of personality and of environments that occur in the adjustment process. It is in this sense that the book may be regarded as fundamentally and uniquely behavioristic.

<sup>82</sup>*An Introduction to Sociology* (1929). This book is unilateral or unidimensional rather than multilateral or multidimensional in its approach to the analysis of the behavior of adjustment. It treats the mechanics of the adjustment process but does not give a composite picture of the society being adjusted. This unidimensionality of course renders it somewhat difficult of comprehension. The same difficulty inheres in Park and Burgess, *Introduction to the Science of Sociology* (1921).



it such. Its substitution of the word culture for this social environment is probably due to the fact that a very active section of the forerunners of this cultural school were of European—particularly of German—origin and brought over the Hegelian concept of the *Zeitgeist* and the neo-Hegelian idea of collective representations.<sup>83</sup> Their notion of culture as an underived and original entity<sup>84</sup> undoubtedly springs from this relatively static concept and bears witness to the fact that they have failed to identify it with the behavioristic concept of an evolving social environment.<sup>85</sup>

It is largely an accident that the social anthropologists have until recently played so important a rôle in the development of, or rather in preparing the way for, the cultural school. In fact, the cultural school had its origin with the early sociological theories of Spencer and the generation of sociologists and sociological anthropologists of the eighties and the early nineties.<sup>86</sup> It has remained one of the dominant schools of sociology in England, France, and Germany.<sup>87</sup> But in this country the overwhelming influence of the old Social Science, the demand for practical social reform, and the consequent impulse to study the contemporary facts of life rather than the historical facts or the data of primitive peoples, fostered doubtless by the greater realistic appeal of the former in a new country relatively less trammelled by tradition, led in the past generation to a relatively non-cultural sociology. But the coming of age of anthropology in the meantime as a separate science and the collection of an immense fund of cultural data which demanded interpretation and generalization forced the anthropologists, poorly equipped as they often were for the task, to

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<sup>83</sup>The school of Durkheim has perpetuated this somewhat metaphysical viewpoint both in France and in the United States. The Chicago school may be regarded as the chief representative in this country.

<sup>84</sup>For a criticism of this viewpoint see *op. cit.*, *Social Forces*, VIII: 327-334, ff.

<sup>85</sup>*Ibid.*, also *American Journal of Sociology*, XXXI: 318-332.

<sup>86</sup>See particularly Tylor, E. B., *Primitive Culture* (1871). The work of the culture anthropologists and that of the culture sociologists have never been distinguishable, except perhaps in the greater objectivity of the latter in recent times.

<sup>87</sup>For example, the Durkheim school of France; the University of London type of sociology, particularly as exemplified in Westermarck, who occupies one of the White professorships in sociology; and the modern school of A. Vierkandt in Germany. See Vierkandt's *Naturvoelker und Kulturvoelker* (1896).

become sociologists.<sup>88</sup> Thus there has been recently a strong tendency for the revival and the perfection of a cultural sociology. Latterly, as a consequence, the sociologists themselves have turned to this field and are beginning to set it in some order. The work of Sumner,<sup>89</sup> Keller,<sup>90</sup> Ogburn,<sup>91</sup> Ellwood,<sup>92</sup> Chapin,<sup>93</sup> and Wallis<sup>94</sup> and Willey<sup>95</sup> is fairly representative of this newer trend.

Although cultural sociology can never be as constructive as behavioristic sociology, unless it should come to be merged with the latter, it is an important supplement to it. Since it is concerned primarily with social change and with maladjustments or lags arising from inequalities in rates of change, and finally with the inventive process which creates and removes lags in the cultural adjustment process, the major contacts of cultural sociology with behaviorist sociology are readily perceived. Perhaps the major service rendered by cultural sociology is the insight and understanding it affords the student with regard to the adjustment functioning of his institutions. It enables him to evaluate their service in the adjustment process and thus to reconstitute them. In a sense, cultural sociology is a return to the old critical school of the ancient Greeks, but on a scientific instead of on a metaphysical plane.

#### IV

Other trends in sociology, such as the sociology of religion,<sup>96</sup> social ethics,<sup>97</sup> educational sociology,<sup>98</sup> urban sociology,<sup>99</sup> and rural

<sup>88</sup>See Wissler in Hayes, E. C. (Ed), *Recent Developments in the Social Sciences* (1927), 50-96; Wissler's *Man and Culture* (1923) and *An Introduction to Social Anthropology* (1929) are essentially sociological in content.

<sup>89</sup>*Folkways* (1907); *The Science of Society* (1927).

<sup>90</sup>*The Science of Society* (1927); *Homeric Society* (1902); *Starting Points in Social Science* (1925).

<sup>91</sup>*Social Change* (1922).

<sup>92</sup>*Cultural Evolution: A Study of Social Origins and Development* (1927).

<sup>93</sup>*Cultural Change* (1928).

<sup>94</sup>*Readings in Sociology* (1930).

<sup>95</sup>*Ibid.*; also, his section entitled "Society and Its Cultural Heritage," in Davis, Barnes, and Others, *Introduction to Sociology* (1927).

<sup>96</sup>See Ellwood, C. A., *The Reconstruction of Religion* (1922); Kirkpatrick, Clifford, *Religion in Human Affairs*, (1929); Ranschenbusch, Walter, *Christianizing the Social Order* (1912), and *Christianity and the Social Crisis* (1907); Ward, H. F., *Social Creed of the Churches* (1912); etc.

<sup>97</sup>See e.g., Mecklin, J. M., *An Introduction to Social Ethics* (1920).

<sup>98</sup>See Smith, W. R., *Principles of Educational Sociology* (1928); Peters, C. C., *Foundations of Educational Sociology* (1924, 1930); Snedden, D., *Educational Sociology* (1922); etc.

<sup>99</sup>See Anderson and Lindeman, *Urban Sociology* (1928).

sociology,<sup>100</sup> have not been classified here as schools. The reason is that they, like other trends earlier mentioned, constitute phases of the major schools previously described. The term school is also used with another import, signifying the following developed by some particular man. We have had approximations to schools of this type in this country, especially in the early development of the subject; but such schools have never been as clear cut here as in Europe. The nearest approaches to personal schools this country has afforded since sociology has become a widely accepted academic subject were those of Sumner at Yale and of Park at Chicago. When science is the central interest in a subject it is difficult for personality to assume an overwhelming rôle in its characterization.

## V

A word as to the probable future orientation of sociology in this country may not be out of place. The earlier schools were relatively static. They studied social forms and social ideals, patterns and type relationships, stages and values, concepts and interests, rather than the adjustment process itself. These older schools had their values, perhaps greater than we are sometimes inclined to recognize, but their major contributions were made by the end of the nineteenth century. Men like De Greef, Gumplovicz, Ratzenhofer, Ward, Small, and Simmel closed an era. It was the era of the founders. They were followed by a period of transition which appeared to be relatively sterile, if we look only at the literary output.<sup>101</sup> But it was really a period of incubation, and in two more decades productiveness was again in full swing.<sup>102</sup> In the meantime sociology had become, or was rapidly becoming, behavioristic. The emphasis is increasingly upon adjustment. The other categories are not unimportant, but they are decidedly subsidiary to the primary problem of all life, whether individual or social, that of adjustment.

The new sociology will, I think, emphasize increasingly three things. One of these is methodology. Both Giddings and Small

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<sup>100</sup>See Gillette, J. M., *Rural Sociology* (1928); Vogt, P. L., *Introduction to Rural Sociology* (1922); Taylor, C. C., *Rural Sociology* (1926); Hoffer, C. R., *Introduction to Rural Sociology* (1930), etc.

<sup>101</sup>See Lundberg, G. A. (Ed.), *op. cit.*, 28.

<sup>102</sup>See Hayes, E. C. (Ed.), *op. cit.*, 4; also, Lundberg, *op. cit.*, 48, 113-114.

saw this in the late nineties of the last century, but their methodology was not the scientific methodology of the future, but the metaphysical conceptual logic of the past. Small never did grasp the new trend, while Giddings later made the transition to the new viewpoint in methodology. But it was too late for him to make use of it. Practically everybody today is interested in scientific methodology.

We should not forget that after all methodology is but a tool, and its proper use is the definition of data and the generalization of them into the principles and formulas which constitute a science.<sup>103</sup> The science itself is, in the last analysis, but a means to an end—the end of adjustment. Therefore, sociology is primarily concerned with subject matter. The two phases of subject matter which are now of chief interest to the sociologist, and which signify the growing maturity of the subject, are social adjustment and social change. This means that the dominant schools of sociology today must be the behavioristic and the cultural, and in a general way the former may be conceived as including the latter.

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<sup>103</sup>See Bliss, H. E., *The Organization of Knowledge and the System of the Sciences* (1929).



## AGRICULTURAL LAND TENURE IN TEXAS

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The present tenure of farm land in Texas is, of course, the result of numerous factors, chief among which may be mentioned (1) the dominant types of agriculture in the state, (2) the way in which the public domain was disposed of during the nineteenth century, and (3) the presence in relatively large numbers of negroes and, in later years, Mexicans. The agricultural system of Texas is dominated by a single crop, that of cotton; although a few other agricultural types, notably grain growing and ranching in the western part of the state, are still of considerable importance. Upon her admission to the Union, Texas retained control of her public lands and proceeded to dispose of them with a prodigality not exceeded by that of the government of the United States. The Civil War and Reconstruction left Texas with a large negro population; and in recent years, mainly since 1918, great numbers of Mexican immigrants have entered the state. These various factors, along with some others of minor importance, have brought into existence a tenure situation which exhibits a number of interesting characteristics.

The following table shows the tenure of farm lands in Texas as disclosed by the agricultural census of 1925.

TABLE I<sup>1</sup>  
Farm Land Tenure in Texas in 1925

	<i>Number</i>	<i>Acreage</i>
Owners .....	182,976	66,451,067
Full owners .....	156,090	45,665,446
Part owners .....	26,866	20,785,621
Managers .....	2,445	9,762,231
Tenants .....	281,225	33,461,112
Cash tenants .....	11,317	8,598,989
Other tenants .....	269,908	24,865,123
Total .....	465,646	109,674,410

<sup>1</sup>United States Census of Agriculture, 1925, II, p. 1109.

This shows 39.6 per cent of all the farmers in the state as falling in the owner and manager classes and 60.4 per cent in the tenant class. By breaking up the tenant class into cash tenants and share tenants, we find that the cash tenants make up 2.4 per

cent of the total number of farmers, and the share tenants 58.0 per cent. Table II shows the changes in these percentages since 1880.

TABLE II<sup>2</sup>

The Various Tenure Groups in Percentages of the Total Number of Farmers in Texas, 1880-1925

<i>Year</i>	<i>Per cent of owners</i>	<i>Per cent of cash tenants</i>	<i>Per cent of share tenants</i>	<i>Per cent of all tenants</i>
1880	62.4	6.9	30.7	37.5
1890	58.1	8.8	33.1	41.9
1900	50.3	7.4	42.3	49.7
1910	47.4	6.3	46.3	52.6
1920	46.7	5.6	47.7	53.3
1925	39.6	2.4	58.0	60.4

<sup>2</sup>*Ibid.*

The striking features of this change are the steady decline in the percentage of farm owners, the corresponding rise in the percentage of tenancy, and the growth of share tenancy at the expense of cash tenancy since 1890. Well over half of the farms in the state are now operated by share tenants, and apparently the percentage is due to increase in the future.

To account for this state of affairs is somewhat difficult. The liberality of the early land policy of the Republic and of the state tended distinctly toward widespread, if not universal, land ownership, and such was actually the case at the time of the admission of Texas to the Union and for a number of years afterward. This early liberality in granting land to settlers on the easiest of terms was offset to a considerable degree, however, by the even greater liberality with which enormous grants were made to internal improvement companies, especially to railroad companies. The disposal of the school lands had much the same effect.

As a general tendency the percentage of tenancy increases with the age of a community. This has been observed in many other parts of the United States and in Old World countries, and there is ample evidence of it in Texas. The above table shows the tendency as it has operated in the state at large. Its operation is even more striking if we confine our observation to a particular section of the state. There are eighty-five counties in Texas west of a line approximating the 100th meridian. This region may be spoken of logically as constituting "West Texas." Up until about 1910 it was predominantly a ranching country, but since

that time there has been a great development of crop-growing. This development has been much more marked since 1920. The following table shows the changes with respect to land which have accompanied this development.

TABLE III<sup>3</sup>

Changes with Respect to the Farm Land in West Texas, 1910-1925

	1910	1920	1925
Number of farms _____	28,771	31,790	48,829
Acres in farms _____	43,646,120	50,254,094	47,435,412
Average per farm _____	1,517	1,580	1,017
Percentage of tenancy —	38.2	39.3	51.5

<sup>3</sup>*Ibid.*, pp. 1110-1138.

The significant changes here are the increase in the number of farms, the decline in the average size of farms, and the rapid increase from 1920 to 1925 in the percentage of tenancy. As the great ranches of this section are broken up into farms, the farms are worked by tenants in the majority of cases rather than by new owners. It is not to be inferred, however, that this increase in tenancy in West Texas is solely responsible for the increased percentage in the state as a whole; for the percentage in the west is still well below that for the whole state.

It is the dominant type of agriculture, that of cotton growing, which is apparently responsible for a considerable portion of the tenancy in Texas. At any rate, there is a high degree of correlation between heavy cotton production in an area and a high percentage of tenancy. Of the twenty-five leading cotton-producing counties in 1926, thirteen had over 70 per cent tenancy in 1925, twenty-one had over 65 per cent, twenty-three had over 60 per cent; while only two had less than 60 per cent. The percentage for the state, it will be recalled, was 60.4 at the time. The chief reasons for this are probably that (1) the best cotton land is the highest priced land in the state, and (2) cotton farming is well adapted to share tenancy. The good cotton lands are held by non-farmers as investments in a great many cases, and the farmers do not find it profitable to sink their capital in the land itself. They put it into labor and equipment instead—chiefly into labor. Since cotton is almost entirely a cash crop, the landlord can readily convert his share of the crop received as rent into money. This would be much more difficult in the case of a less staple crop.

In 1925 Ellis County, the leading cotton county in the United States, had 77.6 per cent tenancy; and Williamson County, next in rank in cotton production, had 67.2 per cent.<sup>4</sup>

On the other hand of the twelve counties which produced one-half million or more bushels of wheat in 1924, four had less than 45 per cent farm tenancy, seven had less than 55 per cent, eleven had less than 60 per cent, and only one had more than 60 per cent.<sup>5</sup>

The mixed farming districts, in general, fall in between the big cotton counties and the wheat counties as to the percentage of tenancy. In the irrigated sections of South Texas, most of the irrigated lands were at first sold to actual operators; but in recent years, there has been a considerable increase in tenancy in these districts. This is well illustrated in Starr County in the lower Rio Grande Valley, where the percentage of tenancy rose from 16.6 in 1920 to 48.2 in 1925.<sup>6</sup>

As to the effect of ranching on land tenure, we may take the Trans-Pecos counties as examples, since the region beyond the Pecos, with the exception of El Paso County constitutes the most typical ranching area in the state at present. The accompanying table shows the situation in these counties from 1910 through 1925.

TABLE IV<sup>7</sup>

The Percentage of Farm Tenancy in the Trans-Pecos Region of Texas, 1910-1925

County	1910	1920	1925
Hudspeth	*	8.6	20.4
Brewster	*	8.5	12.3
Presidio	30.1	10.8	61.7
Jeff Davis	2.2	6.5	14.1
Reeves	9.3	30.1	58.4
Terrell	23.3	10.3	37.4
Culberson	*	8.5	12.3
Pecos	3.6	24.2	40.6

\*These counties had not been organized in 1910.

It is obvious that the percentage of tenancy in these counties is much lower than in other parts of the state. This was particularly true up to 1920; and it should be observed that most of the increases from 1920 to 1925 were the result of the development of

<sup>4</sup>*Ibid.*, pp. 1110-1138; 1206-1238.

<sup>5</sup>*Ibid.*

<sup>6</sup>*Ibid.*

<sup>7</sup>*Ibid.*, pp. 1110-1138.



irrigated farming along the Pecos River and the Rio Grande. This comes out clearly when we note that although 61.7 per cent of the farms (and ranches) in Presidio County in 1925 were operated by tenants, they operated only 81,543 acres of land; while the owners operated 1,797,508 acres.<sup>8</sup> So far as ranching alone is concerned, the percentage of tenancy is very low. It is only as crop-growing develops that any appreciable percentage of tenancy arises.

As to the relationship existing between the value of the land and the percentage of tenancy in a locality, the following facts are illuminating. Of the twenty-two counties in the state having total farm land values of \$25,000,000 or more in 1925, four had more than 75 per cent tenancy, eleven had more than 70 per cent, eighteen had more than 65 per cent; while only four had less than 65 per cent.<sup>9</sup>

The previously noted rapidly increasing percentage of tenancy in West Texas has no doubt been the result in considerable part of the rising land values in that section. Pasture lands in this region which could be bought for a few dollars an acre ten or fifteen years ago are now selling for from \$20 to \$50 an acre. When new settlers come into this region to engage in farming, most of them rent the land instead of buying it. The same is true of parts of southwest Texas where similar development has been going on in recent years.

These rising land values have led to a great deal of speculation in agricultural lands in some cases. Lands are being held off the market in the belief that compensating increases in value will come within the next few years. This holding back on the part of large landowners has undoubtedly prevented some of the newcomers from buying farms who would otherwise have done so. The same has been true to a lesser extent in some of the irrigated sections of South Texas, with the difference there that most of the speculators have been left "holding the sack." Land prices were highest in the lower Rio Grande Valley just after the irrigation project had been completed and before the actual operators had had an opportunity to discover the possibilities, and impossibilities, of the land.

The racial and nationalistic make-up of the population of Texas has some effect on the tenure situation. There are no reliable

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<sup>8</sup>*Ibid.*

<sup>9</sup>*Ibid.*

figures on population more recent than those of the census of 1920. In that year the white population amounted to 84.1 per cent of the total and the colored to 15.9 per cent. The percentage of native born was 82.7 and that of the foreign born 17.3. This means that the population is predominantly native born and white.

It is common opinion that the large negro population of the southern states is in large part responsible for the high percentage of farm tenancy in this section of the country. There seems to be some doubt about the soundness of this opinion so far, at least, as Texas is concerned. There were thirty counties in the state in which 33 1/3 per cent or more of the farmers in 1925 were negroes. Of these thirty counties, sixteen had less than 60.4 per cent tenancy, the percentage for the state as a whole, and fourteen had more than 60.4 per cent. The average for the thirty counties was 59.2 per cent, 1.2 per cent below that for the whole state. Of the six counties in which more than 50 per cent of the farmers are negroes, three have less than 60.4 per cent tenancy and three have more than that amount. The average for this six is 60.3 per cent, which is slightly below the percentage in the whole state. Harrison County has the highest percentage of negro farmers of any county in the state, 72 per cent, and has only 59.4 per cent tenancy.<sup>10</sup> This is not to say, of course, that the presence of a large negro population does not contribute to tenancy; but there appear to be other factors of more importance in Texas.

From data which is now available it is not possible to determine in an exact way the effect which the great Mexican immigration of recent years has had on land tenure in Texas, since the census does not distinguish between Mexican farmers and other white farmers. What observation has been made, however, indicates that although the great bulk of the Mexican immigration goes into agriculture as an occupation, the vast majority of them enter it as farm laborers rather than as farm operators. Cotton picking is the work in which most of them are engaged. However, of those who become farm operators, there is little doubt that practically all of them do so as tenants rather than as owners. Almost all of the recent immigrants have been of the peon class and utterly unable to purchase land at the time of their arrival. There are, however, numerous Mexican land-owners in the Laredo section

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<sup>10</sup>*Ibid.*

who have been in this country for many years. These are largely the descendants of original Spanish settlers rather than immigrants.

Frio County has the largest percentage of tenancy of any county in the state, 84.1 per cent.<sup>11</sup> It also has a large Mexican population, and there is possibly some connection between the two facts.

Gillespie County, the county of which Fredericksburg is the seat, has the largest per cent of farmers of German descent of any county in the state. The percentage of tenancy here is only 29.7, less than half of that of the state as a whole. Comal County, in which New Braunfels is located, is not an important agricultural county, and the German population does not make up as large a percentage of the total as in Gillespie County. But even in this case the percentage of tenancy is only 40.2, about two-thirds of that of the whole state.<sup>12</sup>

Although there are no whole counties settled by the Swedes, the Norwegians, and the Bohemians, it is a matter of common knowledge that farmers of these nationalities are much more commonly land-owners than tenants. There is a large Bohemian settlement near Anderson in Grimes County, a Swedish settlement in Williamson County, and a Norwegian settlement in Bosque County, all of which present the characteristics of widespread farm ownership and thrifty agricultural practices.

There is an astonishing concentration of land ownership in Texas, which, of course, helps to account for the high percentage of tenancy. According to reports received by the Texas Department of Agriculture from the tax assessors of 215 counties in 1926, the sum of the largest single ownership of land in each of these counties was 11,216,046 acres. Thus there were 215 holdings of an average size of 52,168 acres. The second and third largest ownerships in 216 counties were reported. The sum of the second largest ownerships was 5,294,376 acres, an average of 24,511 acres to the holding. The third largest holdings amounted to 3,568,214 acres, with an average of 16,519 acres. In the 647 holdings thus accounted for, there was a total of 20,078,636 acres, an area about equal to the state of South Carolina owned by only 647 owners.<sup>13</sup> It should be pointed out that this does not reveal

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<sup>11</sup>*Ibid.*

<sup>12</sup>*Ibid.*

<sup>13</sup>Texas Department of Agriculture, Bulletin No. 89, pp. 140-143.

the full extent of the concentration of land ownership by any means. It may very well be that the owners of any one of the above included tracts owns additional land in other counties. In fact, there are instances in which the same person is the owner of the largest holdings in two or more counties. Also some extremely large holdings were omitted from these reports because they did not fall within the three largest in the respective counties. And finally there were 40 counties from which no reports were received and one which gave an incomplete report. The full extent of the concentration of land ownership in Texas is yet to be discovered, but what is already known is highly significant.

Closely connected with the problem of land ownership and tenancy is the matter of mortgage debt on farms. In 1925 there was a total of 62,106 farms in Texas reporting mortgage debt. This was 33.9 per cent of the number of farms in the state. The value of the land and buildings on these mortgaged farms was \$554,735,067, while the amount of the mortgage debt was \$195,790,136. The debt amounted to 35.3 per cent of the value of the land and buildings.<sup>14</sup>

There were 82 counties in which more than 50 per cent of the farms were mortgaged. All but one of these are in West or Southwest Texas. These counties are relatively new; while the lowest percentage of mortgages is to be found in the oldest counties in the southeastern part of the state.<sup>15</sup>

As to the correlation of mortgage debt with tenancy, the following facts are significant. Of the 82 counties in which more than 50 per cent of the farms are mortgaged, 66 have less than 60.4 per cent tenancy, the percentage of the whole state, and only 16 have more than that amount. This tends to indicate that tenancy is escaped by assuming mortgage indebtedness, which is logical.<sup>16</sup>

The sources of credit in security for which these mortgages were given may be listed as including the following: (1) Federal Land Banks, (2) real estate loan companies—chiefly insurance companies, (3) mercantile concerns, (4) commercial banks, (5) Intermediate Credit Banks, and (6) personal loans.<sup>17</sup> The rates of interest borne by these different types of loans vary

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<sup>14</sup>United States Census of Agriculture, 1925, II, pp. 1140-1172.

<sup>15</sup>*Ibid.*

<sup>16</sup>*Ibid.*

<sup>17</sup>No attempt has been made to list these in the order of their importance.



widely, ranging from as low as 5½ per cent in the case of Federal Farm loans to well over 10 per cent in the case of store credit and commercial bank credit, the latter rate being concealed by various devices.

It cannot be denied that Texas farmers, on the whole, have had to pay too much for their loans in times past, and this is true to only a slightly less extent at present. The great bulk of the loans which Texas farmers secure from small town banks bear 10 per cent interest. This is distinctly higher than the rate which Corn Belt farmers commonly pay. In the case of store credit, with all its abuses, the rate approaches 20 per cent in many cases. This high cost of operating credit is undoubtedly one of the major reasons why tenant farmers have not been able to pass into the owner class.

In the case of long-term credit for the purchase of land, the Federal Land Banks have done something toward making the purchase of a farm easier; but it is a matter of much doubt as to how much assistance they have given to the average tenant farmer. The farmer must have title to his farm before he can secure such a loan on it; and further he must have a very considerable equity in it. The accumulation of this equity is beyond the ability, apparently, of the common run of tenant farmers. There is also considerable evidence to the effect that a lowering of the rate of interest on real estate mortgage loans simply serves to raise the price of land, which means that it is no easier for a tenant to become a land owner than before. The best that can be said for the Federal Farm Loan System, apparently, is that it has helped those farmers who had already acquired title to land to hold on to it in many cases where otherwise it would have been lost through the default of interest payments.

Something should be said concerning the relationships between the landlord and the tenant. These differ widely in accordance with the different kinds of tenancy. In general, three kinds of tenancy may be distinguished in Texas, or, more nearly perhaps, two kinds with two sub-types under the second: (1) cash tenancy, (2) share tenancy of the "third and fourth" variety, and (3) share tenancy of the "cropper" variety.

In the case of cash rent, the landlord has virtually no control over the farming operations of the tenant. Occasionally some stipulation concerning the use to which the land is to be put is inserted in the lease contract, but more commonly this is not

the case. Tenancy of this sort is quite rare in Texas, however, there having been only 11,317 cash tenants in the state in 1925.

In the case of share rent of the "third and fourth" sort, the tenant pays to the landlord one-third of the feedstuffs and one-fourth of the cotton as rent. Although the landlord furnishes none of the capital in such cases, he commonly exerts a much greater degree of control over the tenant's farming operations than in the case of cash tenancy. Since the cotton crop is preëminently a crop which can be most readily turned into cash, while the products of a diversified agriculture might lack a ready market, the landlord almost always insists upon the tenants devoting the major portion of the land to cotton. This is particularly true in the good cotton sections.

In the case of "cropper" tenancy, the landlord customarily furnishes all of the capital and management and the tenant is simply an agricultural laborer who receives his wages in the form of a part of the crop. The crop is usually shared half and half by the landlord and the tenant, from which division this type of tenancy is sometimes spoken of as "working on the halves." It was originally designed as a method of utilizing colored labor on the large plantations after the Civil War had broken up the slavery system, but it is also used in the case of low grade white tenants to a considerable extent in some sections.

There is a very considerable degree of absentee land ownership in Texas if the residence of the owner of land in a county other than that in which the land is located be considered absentee ownership. In the same report which contained the above-quoted figures on the large holdings in the various counties, figures were given as to the amount of land rendered for taxation by residents of the county and by nonresidents. The total for all the counties reporting was 90,435,676 acres rendered by residents and 60,345,411 acres by nonresidents. Thus about one-third of the land rendered in these counties is owned by nonresidents of the counties. The data are not available as to how much land is owned by nonresidents of the state.<sup>18</sup>

There are 66 counties in the state in which over 50 per cent of the land rendered for taxation is owned by nonresidents; and of these 66 counties, 58 are in West or Southwest Texas, 6 are in extreme Southeast Texas, and 2 are elsewhere.<sup>19</sup> This state

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<sup>18</sup>Texas Department of Agriculture, Bulletin No. 89, pp. 140-143.

<sup>19</sup>*Ibid.*

of affairs in West and Southwest Texas is to be explained largely by the ranching industry of that section. The owners of the large ranches quite commonly live in the larger towns of the state rather than on their lands. Much land which was formerly ranch land but is now used for crop growing is held in the same way. The counties in the Southeast contain most of the timber lands of the state, and these are owned in large part by big lumber companies. A single family is popularly supposed to own the greater part of several counties in this section.

Some idea as to the reaction of the type of tenure on the efficiency of production and the general nature of the farming enterprise may be had from an examination of the value of the farm plant among the various tenure groups. The following table does this.

TABLE V<sup>20</sup>

Value of Farm Plant by Types of Tenure in Texas, 1925

		Average
1. Land and buildings.		
Total	\$3,045,270,798	\$6,540
Full owners	1,203,125,703	7,708
Part owners	325,620,764	12,111
Managers	105,069,214	43,791
Tenants	1,411,455,117	5,018
Cash tenants	119,747,414	10,581
Other tenants	1,291,707,703	4,785
2. Implements and machinery.		
Total	141,899,122	305
Full owners	62,777,805	402
Part owners	14,321,891	533
Managers	1,181,613	484
Tenants	62,917,813	224
Cash tenants	3,840,986	339
Other tenants	59,076,845	219

<sup>20</sup>United States Census of Agriculture, 1925, II, pp. 1140-1172.

It will be noted that the biggest agricultural enterprises are those which are conducted by managers. Most of these are ranches, but some of them are large cotton and grain farms. However, the total number of farms in the state operated by managers is so small in proportion to the other types as to be of no particular significance so far as showing general conditions is concerned. The relatively large values of the land and buildings on farms operated by part owners and cash tenants are also interesting. The indications in the case of the figures for part owners is that farmers of energy and ability are expanding the

scope of their operations by renting additional land instead of buying it. Here again, however, the high average is to be accounted for in large part by the ranching establishments on which a part of the land is owned by the ranchman and large additional areas are leased for grazing. Most of the cash tenants are to be found in the grazing sections, too. Practically all grazing land which is rented is leased for a cash rental, since it would be extremely difficult to work out a satisfactory basis for the payment of share rent in such cases.

Perhaps the most significant fact revealed by Table V is the very small amount of implements and machinery on Texas farms. Ranging from a high point of \$533 as the average for farms operated by part owners down to \$305 as an average for all types and to \$219 for share tenants, it offers a powerful evidence of the fact that the preponderant item in the cost of production on Texas farms is the labor cost. It also shows how easy it is, relatively, for a young man, or any other man, to go into farming as a share tenant. If the average amount of capital on farms operated by such tenants be only \$219, it is obvious that many of them are operated with much less. There are sections of Texas in which a tenant farmer could supply himself with the necessary equipment for making a crop for less than \$50. So long as this is the case, agriculture is clearly a rather highly competitive industry.

Of further significance is the amount of land by types of tenure. Table VI contains figures on this matter.

TABLE VI<sup>21</sup>

Amount of Land by Types of Tenure in Texas, 1925

		Average
Total	109,674,410	235.5
Full owners	45,665,446	292.5
Part owners	20,785,621	772.8
Managers	9,762,231	3,992.7
Tenants	33,461,112	118.9
Cash tenants	8,598,989	759.8
Other tenants	24,865,123	92.1

<sup>21</sup>*Ibid.*, pp. 1110-1138.

The outstanding items in this table are the relatively large average sizes in the case of farms operated by part owners and by cash tenants. This, of course, is in keeping with the high average values of farm plants noted above in these groups. The average size of share tenant farms, 92.1 acres, shows clearly the



extremely small scale on which many such enterprises are conducted, although it is worth pointing out that this condition is not nearly so bad in Texas as it is in some of the older southern states. It should be borne in mind that this average share tenant farm is operated with an average of only \$219 in capital equipment.

It is to be observed that the type of tenure also influences in a marked way the extent to which diversified farming and the keeping of livestock are practiced. Farm owners, of course, can follow their own judgment and means in these matters; and the same is true in large part of managers and cash tenants. But in the case of share tenants, and particularly so with cropper tenants, there is much less freedom of choice. In many cases there is essentially none. The result is that in those sections of the state where the percentage of tenancy is highest diversified farming is almost nonexistent. The landlord wants a crop of cotton on his land, and that is what the tenant produces. The amount of livestock on such farms is rarely more than the work animals required for the operation of the farm. This state of affairs has had, in some cases, serious consequences on the standard of living of the farm family and on the conservation of the soil, although the system as a whole is not necessarily bad.

## THE GERMAN CABINET IN THEORY AND IN PRACTICE

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Since the adoption of the Weimar Constitution, two antagonistic conceptions as to the position of the cabinet have been current. On the one hand there is the view that the cabinet is merely an executive committee of the majority in the Reichstag. This conception is largely based on a strict interpretation of Article 54 of the Constitution which provides that "the Chancellor and National Ministers must have the confidence of the Reichstag for the exercise of their offices. Any one of them must resign if the Reichstag withdraws its confidence by express resolution," and also upon the view that Article 5, which stipulates that "the Chancellor and, upon his recommendation, the National Ministers shall be appointed and removed by the President of the Reich" is intended to be a mere formality.<sup>1</sup> On the other hand there is the opinion that Article 53 authorizes and, in fact, makes mandatory on the President to appoint a ministry in accordance with his own views, without being limited or circumscribed in any way by the desires of the various political parties.<sup>2</sup>

It is clear that the first contention postulates the creation of a parliamentary system fashioned after the British system. The contrary view predicates a powerful executive with a cabinet subordinate to him similar to the American presidential system. Article 53 grants positive authority to the President, as he not only appoints the ministry, but he also may remove it. The authority of the Reichstag, on the other hand, appears to be merely negative, since it cannot directly prevent the appointment or the dismissal of the cabinet outside of bringing about a ministerial crisis by vote of nonconfidence. It is not to be deduced, however, that the President controls the entire organization of the state and could ruthlessly force his will upon the Reichstag.<sup>3</sup>

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<sup>1</sup>Giese, *Die Verfassung des Deutschen Reiches*, 2 ed., 1920; Stier-Somlo, *Die Verfassung des Deutschen Reiches*, 3 ed., 1925, pp. 152, 164. Also *Deutsches Reich und Landesstaatsrecht*, 1924, pp. 351ff.

<sup>2</sup>Finger, *Staatsrecht des Deutschen Reiches*, 1923, pp. 311ff. Lukas, *Die Organisatorischen Grundgedanken der neuen Reichsverfassung*, 1920, p. 39. Anschütz, *Die Verfassung des Deutschen Reiches*, 4 ed., 1926, p. 153.

<sup>3</sup>Herrfahrdt, *Die Kabinettsbildung nach der Weimarer Verfassung unter dem Einfluss der Politischen Praxis*, p. 20, Berlin, 1927.

The constitution is in no way definite as to the preponderance of power in cases where the President and Reichstag have concurrent authority. This point is well illustrated by the provision of Article 4.

The framers of the constitution attempted to find a golden mean between the weak French President and the powerful chief executive of the United States. The members of the Constituent Assembly, however, could not agree as to what constituted "true" parliamentary government.<sup>4</sup> It was Preuss, who, disliking the French way of electing a president, forced the Constituent Assembly to incorporate into the constitution a provision for the popular election of the German President. He argued that in a "true" parliamentary government there are to be found two equally supreme organs of state, different, however, from "the dualism" of the American system, since they did not constitute two independent organs, but stood side by side, permitting the parliamentary government to serve as a recurrently unifying force. He further argued that in a limited monarchy the sovereign acts in parliament; in a republic, the president must take the place of the monarch. This, however, he can only do when he receives his mandate from the source of all authority—the people.<sup>5</sup> Unfortunately the Constitution does nowhere indicate when the Reichstag may override the President in case of a difference of opinion between the two organs. Some publicists fear that this silence of the Constitution may prove extremely dangerous to the state, since in case of an irreconcilable conflict, with both sides stubbornly refusing to effect a compromise, civil war may follow. It is admitted that the Constitution may be amended to take care of such exigencies, but numerous difficulties militate against this action.<sup>6</sup>

<sup>4</sup>For various views see: Preuss, *Denkschrift zum Entwurf des allgemeinen Teils der Reichsverfassung*, as quoted in the author's *Staat, Recht, und Freiheit*, pp. 368ff., 1926. Hatschek, *Deutsches und Preussisches Staatsrecht*, Bd. I, p. 46.

<sup>5</sup>*Berichte und Protokolle des 8 Ausschusses der Nationalversammlung* (Aktenstück No. 391), p. 235.

<sup>6</sup>For a discussion on this point see Herrfahrdt, *Die Kabinettsbildung*, etc., pp. 25, 26.

## THE FORMATION OF THE CABINET IN POLITICAL PRACTICE

In turning from the theoretical considerations to survey a decade of practice since the adoption of the Weimar Constitution, we are confronted by the following historical facts:

The first (Scheidemann) Cabinet represented a parliamentary majority which was an outgrowth of a coalition formed in the Constituent Assembly consisting of the majority Socialists, the Center, and the Democrats. This majority was, however, destroyed when, after the election of 1920, the German People's Party and the Independent Socialists were returned in increasing numbers. No new majority coalition was formed in the Reichstag, and thus the initiative was transferred to the President. The leaders of the three strongest parties, Mueller, Heinze, and Trimborn of the Social Democrats, German People's Party, and the Center, respectively, were approached by the President, but none of them was able to muster a working majority. A deadlock resulted, and the President, making use of his constitutional prerogative, appointed Fehrenbach, of the Center Party, Chancellor, who formed a ministry from members of the Center, Democratic, and German People's Parties, also admitting into the cabinet several nonparliamentary professional members. Thus a precedent was created for a minority cabinet, which became known as the "Ministry of the Center." This government, of course, was considered a makeshift until such time as the political situation would clear enough to permit the formation of a majority coalition. Strangely enough, this cabinet received three votes of confidence in the Reichstag.<sup>7</sup> But, due to the fact that the German state had to weather severe storms and encounter manifold difficult situations, there was a demand for a coalition which would more nearly represent the various parties. To satisfy public opinion, Wirth was entrusted by the President with the formation of a ministry, which he succeeded in doing with the coöperation of the Center, Democratic, and the Majority Socialist Parties. The Independent Socialists grudgingly granted limited support. The domestic and foreign affairs were, however, in such a state that in order to be able to tackle the difficult problems, the ministry needed a working majority. Public opinion was demanding a "Great Coalition." This, however, was beyond Wirth's capacity, and as a result of his failure to form one the

<sup>7</sup>Poetzsch, *Jahrbuch d. ö R.*, Bd. XIII, p. 171.



cabinet resigned on November 14, 1922. It appeared that the formation of a Great Coalition was humanly impossible. The parliamentary system was apparently being wrecked on the rocks of the multiple party system. In this crisis, President Ebert decided to call in Cuno, a person outside the parliamentary circle, and entrusted him with the formation of a ministry. After many attempts, which lasted several days, he was compelled to give up the task.<sup>8</sup>

The President, confronted by a desperate situation, renewed the offer, directing Cuno to form a cabinet without regard to the wishes of the several parties. The ministry he succeeded in forming was composed of members of the Center, Democrats, German People's Party, and Bavarian People's Party, and some nonparliamentary professional ministers, and called itself the "Ministry of Work" or "Business Ministry," remaining in power until August 12, 1923, when, after the passing of the Ruhr crisis, it felt its task accomplished and resigned. Stresemann, who was asked to form a ministry, was assisted by the spirit of coöperation which developed as a result of national indignation aroused by the French invasion of the Ruhr. The Great Coalition was formed at last, but not for long, because by November, 1923, the ministry realized that it could not hold the divergent elements together, and resigned.

So far the cabinets in their composition varied from working majorities to those which were formed as a result of presidential initiative. But from the resignation of the Stresemann government to 1926, the ministry frequently depended on the Democrats, the Center, German People's Party, and Bavarian People's Party,<sup>9</sup> and such members of other parties as they could tempt to join its ranks. The Ministry of Marx, which followed that of Stresemann, was reappointed after the Reichstag election of May, 1924. Due, however, to the presence of a considerable number of extreme "right" and "left" members in the Reichstag, it was quite impossible for the cabinet to carry out its program. The Reichstag was dissolved on October 20, 1924. Upon the assembly, on December 7, 1924, of the newly elected parliament,

<sup>8</sup>For the text of Cuno's letter declining the offer to form a cabinet see, Herrfahrdt, *Die Kabinettsbildung*, etc., p. 33.

<sup>9</sup>These parties formed a coalition designated as the Working Coalition of the Middle.

Dr. Luther formed a cabinet following the party lines of its predecessor, and succeeded in holding power until May 12, 1926, when the well-known national flag controversy broke out. Luther was forced out and Marx took his place without changing the rest of the personnel. In the meantime, the continuous opposition of the German National and Socialist Parties culminated in an absolute refusal to support the government. Hence, in December, 1926, the Marx ministry resigned. After a long period of negotiation and uncertainty, President Hindenburg again entrusted Marx to form a cabinet. This resulted in the formation of a ministry dependent upon a coalition of German Nationals, German People's Party, Bavarian People's Party, and the Center. Between the years 1924 and 1925 two serious attempts were made to reestablish the "Great Coalition," once by Stresemann and another time by Koch. Both were in vain, for party antagonism was intense. Thus the preponderance of influence in the formation of a ministry was again shifted to the President. This was not considered with favor by the parties, and when the second Stresemann cabinet fell, the German National Party, in a letter to President Ebert, demanded that the formation of a government be entrusted to one of the opposition parties. In his reply the President made it clear that the Constitution authorized him to exercise his independent judgment in the selection of a person to be entrusted with the formation of a cabinet.<sup>10</sup>

When Hindenburg succeeded Ebert he made an effort to avoid dictatorial action, leaving to the various parties the initiative in cabinet forming. But in 1926 and again in 1927 he was compelled to assume command. In 1927 he felt it necessary even to indicate the lines of political action the new ministry was to take, admonishing the new government, that even if it did not include the Left parties it should nevertheless "consider one of its official duties to protect the righteous interests of the broad working masses, and to endeavor to serve all classes of the German people, attempting to solve the important political and social problems which confront us."<sup>11</sup> When the Marx cabinet fell, due largely to the obstreperous school question, the Reichstag was dissolved. The election of May 20, 1928, proved to be a

<sup>10</sup>For text of President Ebert's letter see, Poetzsch, *Jahrbuch d. ö. R.*, Vol. XIII, pp. 163ff.

<sup>11</sup>See Herrfahrdt, *Die Kabinettsbildung*, etc., p. 38.

triumph for the Left. After several attempts, Herr Mueller, the leader of the Social Democrats, succeeded in forming a cabinet, the membership of which was drawn from the Socialists, Democrats, Centrists, Bavarian People's Party, and German People's Party. Since the various members had no assurance that their respective parties would consistently support them, the government was popularly labelled as the "Cabinet of Personalities."

A Socialist publicist writing in the *Socialistische Monatshefte* admonishes the Mueller Cabinet that it be guided by a definite program. When they have presented it to the Reichstag the various parties will have to forget the mere theoretical campaign promises and bow before practical necessity.<sup>12</sup> But that the parties were not ready for this is borne out by a speech delivered in the spring of 1929 by the late Foreign Minister Stresemann, as reported in a news dispatch: "We face a crisis of parliamentarianism which is more than a mere matter of lack of confidence. The crisis has two causes: the first is the caricature into which the parliamentary system in Germany has developed; the second is the completely false attitude of parliament in respect to its responsibility to the nation." In the two years of its existence the present German ministry has gone through a series of acute crises which threatened the very existence of the Republican form of government. In the early spring of 1929 the ministry was saved only by an appeal of Chancellor Mueller to the various dissenting coalition parties to support the government till after the reparation question has been settled. The granting to the Centrist Party the three seats in the cabinet demanded by them in February, temporarily strengthened the government. The death of Foreign Minister Stresemann was a severe blow to the cabinet and soon after his death because of its inability to agree on a financial program the Mueller government resigned.

Bruening, who succeeded Mueller, formed a cabinet composed of a coalition of conservative parties and attempted the impossible task of ruling without the coöperation of the most compact party in the Reichstag, the Social Democrats, and the consequence of this was immediate failure to receive a vote of confidence, followed by the dissolution of the Reichstag. With Bruening, however, the power was again shifted to the President, and since

<sup>12</sup>Max Cohen, *Zur Neuen Deutschen Regierung in Socialistische Monatshefte*, Vol. 67 (Aug., 1928), p. 654.

the dissolution of the Reichstag on July 18 the President's office assumed gigantic responsibilities. What the new election will bring is hard to foretell. The reorganization of the bourgeois Democratic Party and renaming of the "Staats Partei" to include the anachronistic and romantic Young German Order will alienate the more sagacious element of the conservative group and tend still further to disintegrate German party life. Be that as it may, the power of the chief executive is ever increasing. Should the election prove inconclusive the formation of the next cabinet will be in the hands of the President. The influence of the Reichstag in this task will be in proportion to the willingness of the various political groups to coöperate. Contrariwise, the chief executive will decide as in the past what combination of a majority, if any, is to compose the ministry. Furthermore the President, clothed with constitutional authority and upheld by the courts as in previous times, will not hesitate to retain the cabinet he appointed in spite of votes of nonconfidence, until such time as the formation of a new ministry has become a practical possibility.

#### CONCLUSION

The history of the method of cabinet forming under the Weimar Constitution may be divided into three periods:

1. From Scheidemann to Wirth, which may be termed the normal parliamentary period.
2. From Cuno to Stresemann, which may be called the Great Coalition period.
3. The latest period may be characterized as the rule of the Middle Parties, cabinets of individual personalities, and transparty government.

In summarizing this brief survey, the following conclusions may be drawn:

1. That the Reichstag's claim to the formation of a cabinet out of its majority depends on whether or not the parliamentary majority is willing and able to represent the entire people in such a way as not to force the elements represented by the minority to violent action.
2. That the authority of the President to decide what combination, whether of a majority or not, is to serve as a composing element of the cabinet formation.
3. That the President may retain the cabinet after a vote of nonconfidence until such time as it is certain that the formation of a new cabinet has become a practical possibility.



The German parliamentary system is as yet far from the smoothly-working English parliamentarianism. The German parties are self-centered, static groups, representing antagonistic social, economic, and even national divisions. Due to the nature of German party life, it is questionable whether the republic will ever attain the English parliamentary development. Some publicists intimate that Germany cannot find a solution for her parliamentary problem in the English or any other system, but must work out, through years of experience, a system of her own.<sup>12</sup> In the meantime it is not at all unlikely that a period of presidential dictatorship will follow until such time as the leaders of the several parties succeed in finding a way out of the narrow party particularism which undermines the very foundation of the constitutional state.

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<sup>12</sup>For a brief discussion on the point see Herrfahrdt, *Kabinettsbildung*, etc., p. 59.

## THE COMMERCIAL RELATIONS BETWEEN THE UNITED STATES AND ARGENTINA

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The commercial relations between the United States and Argentina, until recent years, have been relatively unimportant. The cause most usually cited for this condition has been the protective tariff of the United States. Argentine opposition to the tariff manifested itself in the readiness of Mr. Pueyrredón, head of the Argentine delegation, to bolt the Sixth Pan-American Conference at Habana, Cuba. Likewise, there have been many protests in Argentine newspapers against the tariff proposals of the present session of Congress. Careful study, however, shows that the United States tariff has been only one, and not the most important cause for the small volume of trade between the two countries. The main cause was the operation of basic geographic and social forces. Other causes of lesser importance were the course of diplomatic relations, commercial and financial conditions, and lastly, the tariff measures. The operation of these forces will be analyzed in the following pages.

The cultural or social relations of Argentina with the outside world have been, almost of necessity, largely with Europe. The people are of Spanish origin, with many immigrants of Italian, English, and French blood. Just as the United States was long subservient to England and Europe in literature, music, and art, so Argentina naturally looked to France for inspiration and pleasure and to Europe in general as a source of knowledge and refinement. England's influence was important in commercial and financial matters but the United States has not been influential at all.

The diplomatic relations of the two countries have been uneventful, except for the Falkland Islands incident, and relatively unimportant. The War of Independence in Argentina began in 1810. Its causes were very similar to the causes of the American Revolution and in some respects the Argentine leaders followed the model set in the United States. Disappointment was felt that the government at Washington followed so closely the policy of neutrality and did not actively assist them in their struggle.

The United States recognized the independence of Argentina in 1823 after the Florida negotiations with Spain were completed and world political conditions were more favorable. Because of the delay the news of recognition was received with but little enthusiasm. The Falkland Islands incident in 1830, involving the slight by an officer of the United States Navy of the sovereignty claimed by Argentina in those islands, developed considerable ill feeling toward this country, on top of the already existing coldness.

The State Department of the United States was aware of the future trade possibilities of this vast region at the time the struggle for independence began. The instructions given to Joel R. Poinsett, special agent to South America in 1810, read as follows:

The real as well as ostensible object of your mission is to explain the mutual advantages of commerce with the United States.<sup>1</sup> Since that time the United States has had commercial agents and later consuls at Buenos Aires almost continuously.

In 1816, shortly after the United Provinces of South America (later Argentina) declared their independence of Spain, that government stated in a note to the American commercial agent at Buenos Aires that that time was a precious moment to advance the commercial relations that had been begun already. About the same time John Quincy Adams, Secretary of State, pondered over the feasibility of recognizing the revolting provinces by means of a treaty of amity and commerce, as had been done by France in recognizing the United States in 1778. Matters of policy forbade this step but three distinguished American citizens—Caesar A. Rodney, John Graham, and Theodore Bland—were sent to Buenos Aires in 1817–1818 with instructions to give attention to interesting facts which would be of help in developing commerce with that region.<sup>2</sup>

The members of this mission were received with real enthusiasm by the people and officials of Argentina, who thought the visit the forerunner of recognition by the United States. The commissioners did not agree with regard to the stability and

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<sup>1</sup>Manning, Wm. R., *Diplomatic Correspondence Concerning Independence of the Latin-American Countries*, Vol. No. 5, p. 6, Robert Smith to Joel R. Poinsett, June 28, 1810.

<sup>2</sup>Manning, *op. cit.*, No. 40, p. 42. Richard Rush, Secretary of State, to the Special Commissioners, July 18, 1817.

democratic character of the revolutionary government and, therefore, handed in individual reports to the Secretary of State. They did agree on the limited possibilities for trade with Argentina, whose chief exports were hides, tallow, pelts, and precious metals from Chile and Potosí and whose principal imports were manufactured goods such as textiles, hardware, and saddles. There was no indication, at that time, of any lack of equality among the various nationalities trading there, although the British were by far the most important.<sup>3</sup>

When Caesar A. Rodney was dispatched to Buenos Aires as minister in 1823 his instructions from Secretary Adams specifically stated that it was not intended that he propose a treaty of commerce since the interest of the United States in such was so slender that there was no motive in desiring one. Nevertheless, he was instructed to maintain strenuously the right of the United States to treatment in every respect "on the footing of the most-friendly nation" and that if he did negotiate a treaty of commerce that principle should be the foundation of all its provisions.<sup>4</sup> Rodney did not negotiate a treaty and when, after his death in 1824, the rumors came to the American Chargé, John M. Forbes, that a European nation was negotiating a commercial treaty with Argentina he notified the latter that the United States expected that no special privileges would be granted and that the United States would be treated "on the basis of reciprocity."<sup>5</sup>

The Falkland Islands incident brought about a change of attitude regarding the desirability of a commercial treaty. When Francis Baylies was sent to Buenos Aires in 1832 to negotiate a settlement of the incident he was instructed to use all his endeavors to prevent it from becoming an obstacle to the formation of a commercial treaty. The cause of this change of heart and the apparent eagerness to negotiate a commercial treaty can only be conjectured. Baylies's instructions, dated January 26, 1832, gave him power to negotiate a treaty with Argentina which was to embody four points in regard to the fisheries in the South Atlantic covering the perfect right of American citizens (a) to fish on the open sea, (b) to fish within a marine league of the

<sup>3</sup>*American State Papers*, Vol. IV, p. 217ff.

<sup>4</sup>*Writings of John Quincy Adams*, Ford edition, Vol. VII, p. 434.

<sup>5</sup>Manning, *op. cit.*, No. 302, p. 642. Forbes to the Minister of Foreign Relations, December 6, 1824.



shore when the shore was uninhabited, (c) to use adjacent uninhabited shores and, (d) to continue use of shores and fisheries long used even where settlements were later established on those shores—a case of prescriptive right.<sup>6</sup> It is reasonable, then, to assume that the desire to protect the fishing interests of the citizens of the United States in South Atlantic waters by placing those rights on the basis of treaty provisions, as had been done in 1783 and 1818 with regard to the fisheries around Newfoundland and the Gulf of St. Lawrence, was the cause of the new attitude. Baylies, however, accomplished nothing.

The United States has signed but three bilateral treaties with Argentina, two of a commercial character and one on the subject of extradition. The first two of these were the Treaty of Friendship, Commerce, and Navigation of 1853 and the Treaty for the Free Navigation of the Rivers Paraná and Uruguay of 1853.

The first treaty between the two countries was negotiated along with Great Britain and France for the free navigation of the Rivers Paraná and Uruguay. The junction of those two rivers a short distance above the city of Buenos Aires forms the estuary of the Rio de la Plata. Altogether they form one of the most important systems of river transportation in the world. During the early period of Argentina's history as an independent nation the City and Province of Buenos Aires often maintained very arbitrary and oppressive control over the commerce of this vast river system. This situation had been one of the causes of recurrent strife between Buenos Aires and the Riverine Provinces, namely, Entre Rios, Corrientes, and Cordoba, the latter group being singularly dependent, at that time, upon river transportation. In 1851, under General Urquiza, they revolted against the famous tyrant, Rosas. After capturing Montevideo, thereby gaining an outlet to the sea, Urquiza attacked the City of Buenos Aires and early in 1852 captured it. The previous October, however, the Confederate Provinces, as those under Urquiza now designated themselves, signed a treaty with Brazil which declared the navigation of the Uruguay River to be common to those two countries and invited other states of the La Plata to

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<sup>6</sup>The instructions from Secretary Livingston to Baylies, dated January 26, 1832, February 14, 1832, and April 3, 1832, are in *Senate Executive Documents*, 32nd Congress, 1st Session, No. 109, pp. 8, 15, and 16, respectively.

agree to make the navigation of the Paraná and Paraguay Rivers free. This evidence of a more liberal policy was soon noticed by the commercial nations of the world.

On April 28, 1852, Secretary of State Daniel Webster wrote to our minister at Rio de Janeiro, Robert C. Schenck, instructing him to go to Buenos Aires to take charge of negotiations for the right to navigate those rivers and, also, to negotiate a commercial treaty. He explained this action in this manner: Great Britain has invited the coöperation of the United States and France in the negotiations. The more liberal policy of the new government made success probable, although there would be a show of right to refuse, since some of the rivers flowed through the territory of the Confederation. A very important market for our products might result from the opening of the upper provinces to direct trade and it behooved the United States to be vigilant to secure all advantages possible.<sup>7</sup>

Schenck arrived at Buenos Aires on May 21, 1853, only to find the city in a state of siege. After the downfall of Rosas a provisional government had been established, but the Province of Buenos Aires was not satisfied and revolted. Urquiza laid siege to the city by land and sea and could have forced its surrender except for the defection of the fleet which was brought about by the liberal use of the city's gold. During the siege the negotiators made frequent trips, by permission, through the lines of both armies to the camp of General Urquiza to negotiate the treaty. The Treaty for the Free Navigation of the Rivers Paraná and Uruguay was completed and signed on July 10, 1853. After the surrender of the fleet and after the signing of the treaty it became apparent that the early surrender of the city was not probable and mediation was effected by the American, British, and French ministers. The Confederation agreed to raise the siege and to leave the Province of Buenos Aires to itself for a time. It was hoped that the force of circumstances would cause the province to join the Confederation later.

The treaty was signed with the Confederation before the outcome of the siege was determined because, as Schenck explained, so far as the Confederation was concerned or had jurisdiction the principle of free navigation of the rivers was thereby fixed

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<sup>7</sup>*The Writings of Daniel Webster*, National edition, Vol. XIV, p. 617. Daniel Webster to Robert C. Schenck, April 28, 1852.

and perpetual beyond repeal by laws or decrees or even constitutional provision. The Province of Buenos Aires was either in the Confederation or out of it. If in, it had to abide by the treaty. If out, the establishment of ports up the river would cause it to enter into similar treaties.<sup>8</sup>

The solution of two difficult situations fell largely upon the shoulders of Schenck and the American Chargé, Pendleton. First, the Constitution of the Confederation stipulated that the navigation of the interior rivers was to be governed by the regulations laid down by the national authority. The Argentine negotiators had to be convinced that treaties made by the President and approved by Congress were sanctioned by the national authority as much as if enacted in the shape of statute law. Second, the Confederation wished to be guaranteed possession of the Island of Martín García, at the junction of the rivers, which controlled the navigation of the upper waters. It was finally agreed that the contracting parties would use their influence to prevent the possession of the island from being held by a country which had not given adhesion to the principle of free navigation of the River Plate and its confluent.<sup>9</sup>

The treaty included the usual provisions concerning the necessary regulations, the maintenance of beacons and marks, and a uniform system of duties and dues. In time of war between any of the states of the River Plate system navigation should be free to merchant vessels, except for the transport of munitions.

The instructions given Schenck cited the Treaty with Costa Rica of 1851 as a model for the second treaty, that is, the Treaty of Friendship, Navigation, and Commerce. However, any other which gave equality with Great Britain and other nations was acceptable. The negotiations were conducted at San José del Flores, Urquiza's capital, and the treaty signed July 27, 1853. It called for perpetual amity, reciprocal freedom of commerce, and national treatment. The citizens of the other party were exempted from compulsory military service, forced loans, or military exactions and in case of war between the two countries the

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<sup>8</sup>Page, Thomas J., *La Plata, The Argentine Confederation, and Paraguay*, Appendix C, pp. 575-578. Dispatches of Robert C. Schenck.

<sup>9</sup>The discussion of the negotiation of this and the Treaty of Friendship, Navigation, and Commerce has been based on, Page, Thomas J., *op. cit.*, p. 43ff., and Appendix C., p. 575ff. Also, *Senate Report*, No. 60, 35th Congress, 1st Session, p. 12.

citizens of each country were to be allowed to remain in the other during good behavior. The most-favored-nation clause was included in the conditional form typical of the commercial treaties signed by the United States previous to 1926.<sup>10</sup>

The conditional most-favored-nation clause of the treaty has been the only one subject to dispute. In 1891 the Argentine Minister of Foreign Relations wrote the American minister at Buenos Aires that the United States seemed to hold that the clause applied only in the case of gratuitous concessions, while Argentina believed it to allow concessions to all nations having it in their treaties on the basis of equal compensation. Except with this latter interpretation, he stated, this clause would lose its importance in the relations with the United States.<sup>11</sup> In 1911 the Argentine Chargé at Washington inquired of the Secretary of State as to what construction the United States Government put on the most-favored-nation clause in commercial treaties. Acting Secretary Huntington Wilson replied that this clause did not extend to privileges which had been conceded by one contracting country to a third in exchange for valuable concessions except for identical or equivalent concessions.<sup>12</sup>

Thus far the political relations between the United States and Argentina have been explored and they have been found, in general, to have been uneventful. The treaties governing the commercial relations of the two countries have been found to be as favorable to their trade with each other as the treaties with any other countries.

John Quincy Adams said our trade with Argentina in 1823 was insignificant and would not soon be otherwise. His statement was justifiable since the report of the Secretary of the Treasury on the commerce of the United States in 1820 made no mention of Argentina or Buenos Aires but stated that the exports of the United States to Spanish South America amounted to \$241,193

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<sup>10</sup>The provisions of these two treaties were summarized from Malloy, *Treaties, Conventions, International Acts, Protocols, and Agreements between the United States of America and other Powers, 1776-1909*, Vol. I, pp. 18 and 20, respectively.

<sup>11</sup>Ministerio de Relaciones Exteriores, Republica Argentina, *Reciprocidad Commercial—Negociaciones entre Estados Unidos y la Republica Argentina*, p. 29. M. Zeballos to Pitkin, December 24, 1891.

<sup>12</sup>United States, *Foreign Relations, 1911*. Letters dated March 6 and 15, 1911, pp. 4 and 5.



out of a total export trade of \$69,691,669, or four-tenths of 1 per cent of the whole.

The trade of the two countries was generally favorable to Argentina between 1850 and 1880.<sup>13</sup> In 1880 Argentina exported three times as much to the United States as was imported from the United States. The only important Argentine exports to the United States during that period were raw hides and skins, and wool. Those articles comprised from 89 to 97 per cent of the total during those years. Imports from Argentina comprised around 1 per cent of the total United States imports. The exports from the United States to Argentina during the same years were not so confined to any small number of commodities. Lumber, furniture, cotton cloth, rice, and flour were most consistently exported, although agricultural implements and petroleum products became of importance about 1870. No article was of outstanding value and all combined were of no great significance. Exports to Argentina averaged about one-third of 1 per cent of the total United States exports in value.

The merchandise trade between the two countries was, generally, and sometimes overwhelmingly, favorable to the United States after 1880 and up to 1911. Two important products were added to the list of Argentine exports, namely, linseed and quebracho. The imports from Argentina increased steadily, both absolutely and relatively, and averaged about 2 per cent of total United States imports during the period. In the absolute sense the imports from Argentina increased five times from 1880 to 1911. The exports of the United States to Argentina continued to show a greater value of lumber and agricultural machinery than of other commodities but industrial machinery, railroad equipment, petroleum products, and manufactures of iron and steel became increasingly important. The exports increased in relative value to over 2 per cent of the total exports from the United States and five times in absolute value during the period.

The exports and imports of Argentina to and from the United States continued to grow during and after the World War. The exports to the United States in 1928 were three times as great as the 1910 exports and imports from the United States were

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<sup>13</sup>The following discussion is based on a study of *Commerce and Navigation of the United States*, various years, when not specifically stated otherwise.

over four times the 1910 imports. The United States imports from Argentina made up nearly 2.5 per cent of our total imports and exports to Argentina made up 3.5 per cent of our total exports.

The steadily mounting importance to the United States of the trade with Argentina is clearly proven by the part it has formed of total United States foreign trade, namely, imports, 1850-1880, 1 per cent; 1880-1911, 2.3 per cent; 1928, 2.4 per cent; exports, 1850-1880, one-third of 1 per cent; 1880-1911, 2 per cent; and 1928, 3.5 per cent. Has there been an increase in the importance of the trade to Argentina? In 1913 Argentine imports from the United States were 14.7 per cent of the total Argentina imports and in 1927, 24.7 per cent. Argentine exports to the United States were 4.7 per cent of total exports in 1913 and 9.1 per cent in 1927.<sup>14</sup> This trade is, therefore, nearly twice as important to Argentina as it was before the World War.

The character of the trade between the two countries has not changed greatly. In 1926, 1927, and 1928 over one-half of Argentine exports to the United States were made up of hides and skins and flaxseed. Wool was next in importance, followed by quebracho wood and quebracho extract. Argentine imports from the United States were altered in character chiefly in the dominant position which motor vehicles occupied. Argentina always bought carriages and wagons in the United States and like the rest of the world shifted to automobiles and bought them in the United States. In all other regards the character of the trade remained about the same; agricultural machinery and other machinery and vehicles, petroleum products, lumber, cotton textiles, and metal products still constitute the bulk of the trade. Argentina ranks as one of the leading markets for or source of supply of each of the above commodities.

The statistics thus reveal that during the early period, up to 1880, the merchandise balance was in favor of Argentina, that a shift took place about that time and the balance has since been greatly in favor of the United States. This corresponds to the development of manufacturing in the United States. During the greater part of the nineteenth century the trade between the two countries consisted of the few raw materials each produced

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<sup>14</sup>T. I. B., No. 602, *Foreign Trade of the United States in the Calendar Year 1928*, p. 4. Department of Commerce, 1929.

which the other did not produce in sufficient quantities to supply the demand or the few manufactured products in which the United States could compete with Europe. As shown before, the export trade of Argentina was composed largely of raw materials, while the imports of the United States for the years 1876-1880 were only 33.1 per cent crude materials and foodstuffs and for the years 1896-1900, 44.6 per cent. During this same time Argentine imports were chiefly manufactured goods while the exports of the United States for the years 1876-1880 were only 19.4 per cent semi- and finished manufactures and 24.4 per cent manufactured foodstuffs, and for the years 1896-1900, 30.9 and 24 per cent, respectively. The greatest increase in trade between Argentina and the United States occurred after 1910. The period between 1910 and 1928 witnessed a 5 per cent increase in the value of raw material imports into the United States and an 18 per cent increase in the value of manufactured exports from the United States. Imports of crude materials and foodstuffs into the United States for the years 1926-1928 were 50.8 per cent of the total imports, and exports of semi- and finished manufactures were 57 per cent and manufactured foodstuffs 9.9 per cent of the total exports. It is evident that the exports of the United States to Argentina increased as its competitive ability in the world market for manufactured goods increased, while Argentine exports to the United States increased as the latter's imports of raw materials became of greater importance due to the increased demands of the manufacturing industry in the United States.

Very soon after the protective tariff of the United States became a feature of its policy, statesmen of both countries fixed upon it as the limiting factor in their trade relations. In 1869 the Argentine minister in Washington proposed to the Secretary of State that a treaty be negotiated fixing lower duties on harness and agricultural implements imported into Argentina from the United States and on wool, skins, and preserved foods imported into the United States from Argentina. The Secretary of State, Hamilton Fish, replied that this was impossible for three reasons: (a) it was not in accord with the policy of the

United States, (b) such concessions would pass to other countries automatically, and (c) the constitutionality of the fixing of tariff rates by treaties was seriously questionable.<sup>15</sup>

The First International American Conference in Washington in 1890 was the scene for a bitter and heated debate on the tariff question. Señor Pena, the Argentine delegate, said that Argentine wool did not yield as much clean wool as Australian wool did and, "The tariff is, therefore differential and becomes prohibitive as against the Argentine Republic."<sup>16</sup> Senator Henderson, the delegate of the United States, adduced figures to prove that the Argentine tariff, in general, was more severe on the United States than that of the United States was on Argentina. The Argentine delegates were agitated greatly by the many proposals for and rumors of higher duties on hides and wool which preceded the fixing of the McKinley Tariff duties. The debate, however, gave rise to the statement of one simple truth, namely, Señor Pena's remark that free trade between noninterchanging markets is an "Utopian Luxury."

The McKinley Tariff Law of 1890 lowered the duties on certain raw materials and made provision for the negotiation of reciprocal trade concessions with other countries. The Argentine Government immediately put new tariff regulations into effect lowering the duties on imports of agricultural implements and lumber, two commodities the United States supplied Argentina. In 1891 when Minister Pitkin, according to his instructions, proposed the negotiation of a treaty of commercial reciprocity the Argentine Minister of Foreign Relations replied by quoting Secretary Fish's letter previously referred to, and by pointing to the newly lowered duties on agricultural implements and lumber.<sup>17</sup>

The many proposals made in Congress during the legislative battle over the Wilson-Gorman Tariff in 1893, especially those for increasing the duty on wool, brought forth a protest from the Chargé d'Affaires of the Argentine Legation in which he stated that the reduction of the Argentine duties, mentioned above, had been granted voluntarily in recompense for the lower rates, especially that on wool, in the United States tariff of 1890.

<sup>15</sup>Ministerio de Relaciones Exteriores, Republica Argentina, *op. cit.*, p. 29.

<sup>16</sup>International American Conference, 1890, *Report of Committees and Discussion Thereon*, Vol. III, p. 128.

<sup>17</sup>Ministerio de Relaciones Exteriores, Republica Argentina, *op. cit.*, p. 29.



The point of attack by Argentina has always been the duties on raw wool, hides and skins, and, more lately, on linseed and the embargo of the importation of meats other than canned meats from Argentina. The tariff discussion during the present special session of the Congress of the United States caused an editorial in *La Nación*, a Buenos Aires daily newspaper, in which it was maintained that the tariff proposals were designed to prohibit foreign products from entering the United States and that the passage of such a tariff would mean the destruction, partially at least, of Argentina's most important source of wealth.

A thoughtful and sympathetic view is evidenced in a recent editorial in *La Razón*, another Buenos Aires daily. It stated that agriculture in the United States had not benefited by protection in the past to the extent the other industries had and that the obligations of the government to bring about the general welfare of the country were recognized by those in high authority in the United States. Those two circumstances defined the character and tendency of United States protectionism, "placing between it and the opposing conveniences of other nations a national feeling which cannot be denied respect and efficiency. . . . Its (United States) governing class knows how to exercise an inalienable right of sovereignty in defense and protection of national labor and production." The editorial further adds that laws higher than those which Congress may sanction determine that the United States will some day require what Argentina supplies; that cattle production and the growth of linseed in the North cannot keep pace with the consumption of these goods and their importation will become a necessity. The paper advised Argentina not to resist the tariff but to imitate and utilize the example given by the United States. The closing thought was, "The United States custom house, then, will not be able to retard the expansion of our economic progress."<sup>18</sup>

Argentina has had protective duties for several years on articles manufactured in the country, such as leather goods, shoes, and harness and saddles. It is extending that protection still further. When Ambassador Pueyrredón made his determined attack on the American tariff and trade restrictions at Habana he was

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<sup>18</sup>Reprinted in *Comments on Argentine Trade*, a publication of the Chamber of Commerce of the United States of America in the Argentine Republic, May, 1929, pp. 70-72.

not supported as unanimously as he desired by his own countrymen. Many groups there now think that they can benefit by a policy similar to that of the United States.

The lack of banking facilities probably, for a time, proved a handicap and hindrance to American exports to and imports from Argentina. The report of the Committee on an International American Bank at the First International American Conference in 1890 made the following statement:

The merchants of the United States now importing goods from the countries of South and Central America make such importations, almost without exception through the use of English banker's credits.<sup>19</sup>

It is true that there were no branches of American banks in Argentine until late in 1914 when the National City Bank of New York established a branch at Buenos Aires as permitted by the Federal Reserve Law and authorized by the Federal Reserve Board.

Argentinians frequently expressed the opinion that the reason for the unimportant trade with the United States and the important trade with Great Britain was the difference between the respective investments in Argentina. The British began colonizing the country, building railroads, and owning ranches immediately after Spain's authority was cast off. British capital penetrated all parts of the country and engaged in all activities so that by 1914 approximately \$1,500,000,000 was invested there. Even now they surpass the American investments. In 1914 American capital in Argentina was scarcely more than \$50,000,000. A very notable expansion, however, has taken place in the volume of American capital in Argentina since 1914, the total at the present time being about \$600,000,000. This expansion has concurred with an expansion in the volume of trade between the two countries.

It is often said that trade follows the dollar. Superficially considered that statement is supported by a study of American-Argentine trade. Prior to the World War, investments were small and so was trade. Investments increased rapidly after 1914 and so did trade. It was the closing of European sources of supply that caused the greatly increased demand for American

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<sup>19</sup>*Minutes*, p. 831.

capital just as it did for American commodities. Both developments would have taken place regardless of the war but much less rapidly. The export of capital usually, although not necessarily, necessitates the export of merchandise or services between the borrowing and lending countries. When the returns from the capital invested become greater than the annual capital export an opposite trade movement tends to arise. In the present case the increase in trade has been out of proportion to the yearly increase in United States investments in Argentina since 1914. The yearly average of the exports of the United States to Argentina for the years 1926, 1927, 1928 was over 110 million dollars greater than the 1910-1914 average and for the five years 1921-1925 it was 70 million dollars greater. The average yearly increase in investment was about 40 million dollars. An investment in an electric lighting and power plant, a street railway, or telephone system would ordinarily cause exports of electrical and telephone apparatus to increase even after the original sum had been transferred. The investment of capital in a branch plant to manufacture that telephone apparatus generally would reduce the exports of such products and entail but small exports of machinery and equipment. The investment of capital in a country does not always involve cash transfers, nor merchandise movements, and frequently it does not involve a movement of cash, goods, services, or securities to or from the country in which the investment occurs. That has frequently been the case in the investments of the United States in Argentina. The International Telephone and Telegraph Company obtained title to the United River Plate Telephone Company at Buenos Aires, valued at over \$50,000,000, from the British owners, in part by means of an exchange of stock and in part by cash payment. Except for the transfer of title in the records Argentina was not involved. This investment required only the transfer of I. T. & T. securities and funds to England and United River Plate securities to the United States.

An Argentine loan floated in the United States would mean, theoretically, increased exports or decreased imports, visible or invisible, on the part of the United States, followed each year thereafter by increased imports or decreased exports as the interest and sinking fund payments were being made by Argentina. While both imports and exports may thus be encouraged by foreign investments the ability of any country to export capital

consistently is limited by its ability to provide an excess of exports, visible or invisible. It is true, however, that an investment may at times be causal in its effect on trade, and that a country may lend abroad and at the same time remain, on balance, a borrower of capital. Still, it is open to serious question which was cause and which effect, the increased trade between the United States and Argentina or the increased investments of the United States in Argentina.

American clippers ruled the ocean shipping of the world for many years. As late as 1890 over two-thirds of American imports from and exports to Argentina were carried in American vessels. Nevertheless, the share of the United States in the total Argentine foreign trade remained practically unchanged and at very low levels during the whole time up to that date. After 1890, however, the larger part of the United States-Argentine trade began to be carried in foreign vessels. By 1900, too, over one-half of the foreign vessels engaged in this trade were steamships while nearly all of the American vessels were of the sailing type. The sailing vessels provided slower transportation than steamers, and the steamers in the American trade were of the poorer class. The better class service was not established until after 1914. Nevertheless, the ten or fifteen years before and after 1900 were years of stupendous increases in American exports to Argentina and of considerable increases in the opposite trade. It might almost be said that the volume of trade was inversely proportionate to the quality of the American shipping services provided.

The United States Government was represented in Argentina very early, and the lack of a commercial treaty until 1853 was no serious handicap because there was no discrimination by law against any country or countries. The Falkland Islands incident during the early years of diplomatic relations might possibly have hurt American trade. When the remarkable development of trade between the Allies and Germany since the World War is considered, however, the possible effect of the Falkland Islands incident is to be discounted. The influence of habit is strong. The English early gained a foothold in the trade because England was on the whole the best place to buy. Custom and the continued quality of English service perpetuated their hold on Argentine trade. The old and tried channels of trade were the easiest and most satisfactory.



Without denying that the tariff may have affected trade to some extent, it certainly is not ground for antagonism and protest. The tariff must be viewed from the broad plane of national policy and national beliefs. The people of the United States have been and are convinced that the national prosperity is the result of the operation of that protective policy. Economists may question that belief and account for prosperity as the result of the combination of unequalled resources and the easy transfer of ideas and skill from the parent country, England, the early leader in industrial technique. Nevertheless, the tariff has the vote and it has been built along the lines of protecting American production from foreign competition. The seeming harshness of its application to Argentine trade is to be regretted but it is due to geographic and climatic conditions, not to discrimination. The principal industries of Argentina are sheepraising, cattle grazing, and farming, the crops being wheat, linseed, and corn. Those industries and those products, likewise, were and are important in the national economy of the United States and would naturally receive some protection. The only reason for importing any of the products of those industries into the United States has been the growth of manufacturing and the larger urban population with the resulting increased insufficiency in the production of certain agricultural commodities in the United States. As pointed out earlier in this paper in the quotation from *La Razón* this need for imported supplies will continue and be increasingly important to the benefit of Argentine trade with the United States.

The fundamental basis of international commerce is a difference between the products of two areas. That difference may be caused by climate and topography (geographic), or by manufacturing skill and stage of development (social). When both of these causes are absent, foreign trade is at a minimum. In 1820 about 13 per cent of the exports of the United States were of manufactured goods, in 1870 about 16 per cent, and in 1910 about 45 per cent. In 1821 only 3.64 per cent of our imports were raw materials, in 1870 12.18 per cent, and in 1910 36.37 per cent. This trend toward the exportation of manufactured goods and the importation of raw materials has continued at a greater rate since 1910. During all this time Argentina was exporting raw materials and importing manufactured goods, as, likewise, was true of the United States. As the exports of the United States became more largely manufactured goods the trade between the

two increased. This is strikingly proven by the fact that exports of automobiles and trucks alone to Argentina in 1928 amounted to nearly \$40,000,000, or one-quarter of the total exports to Argentina.

✓ Argentina and the United States both have temperate climates and vast agricultural and grazing lands. Since climate and topography did not provide a basis for interchange of products, a difference in manufacturing skill and stage of development was necessary. That difference was found in a greater degree between England and Argentina during the nineteenth century and, therefore, the trade between those two countries was very important. As manufacturing increased in the United States so that keener competition with the English was possible, our exports increased. The important degree to which our agricultural resources could still satisfy the demands within the country for those products retarded the development of imports from Argentina and still does. The great growth of trade between the United States and Argentina in recent years has been due to the greater competitive ability of the United States in the production and sale of manufactured goods and the greater demand for the importation of raw materials to feed the industrial population and supply the materials for industrial operations. Shipping and banking services have improved following the demands of an increased trade. Investments have, likewise, followed as well as led the commercial expansion. The basic economic forces in the two countries have been the real causes determining the course of trade, not diplomacy, not shipping, not banking, and not tariffs.

## GOVERNANCE IN TENNESSEE COUNTIES

By J. W. MANNING

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The American heritage of local self-government may have disappeared from some of the American commonwealths, but an examination of the government of Tennessee's ninety-five counties proves that the Volunteer State still adheres to that principle of Anglo-Saxon liberty. We are inclined to believe, however, that the county in Tennessee is tending, more and more, to become a purely administrative unit rather than a unit of local self-government; but, fortunately or unfortunately, that point has not yet been reached.

If the existence of a long ballot is proof that a governmental unit is utterly inefficient, then the government of the Tennessee county must be so classed, but if the long ballot means that democracy prevails where such a ballot is used, then the Tennessee county is the citadel of democracy. In all the counties of the State, the people elect not less than eight officers: the sheriff, the trustee, the tax assessor, the county clerk, a district or county attorney, and one constable and two justices of the peace from each civil district.<sup>1</sup> In fifty-nine counties there is an elected county judge, while in the remaining thirty-six counties the duties of this officer are performed by a chairman of the county court, elected for one year by the court.<sup>2</sup> In most counties the school superintendent is appointed by the county court, but in some he is elected by the people.

### THE COUNTY COURT

If one should be asked to name the most important officer or group of officers in the county, he would certainly select the county court. The Tennessee county court is divided into two parts: (1) the monthly court, or the judicial branch, whose functions are performed by the county judge alone, and (2) the court of pleas and quarter sessions, or the administrative body. This body, or

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<sup>1</sup>Constitution of 1870, Art. VII, Sec. 1; Shannon's Annotated Code of Tennessee, Secs. 761, 393, 394, 1150.

<sup>2</sup>Tennessee Handbook and Official Directory, 1927, pp. 89-90; Shannon's Code, Sec. 6004.

the quarterly court, is made up of the justices of the peace elected from civil districts, for a term of six years, and presided over by the county judge or chairman of the court.<sup>3</sup> The constitution provides that there shall be two justices of the peace elected from each civil district within the county, with an additional justice from the district containing the county seat, and nineteen from the city of Nashville, and the whole number of districts shall not exceed twenty-five, or four for every hundred square miles.<sup>4</sup>

The monthly court, which meets the first Monday of every month and is held by the county judge or chairman of the court, is endowed with judicial, or more properly speaking, probate functions.<sup>5</sup> The county judge, in this capacity, is much like the probate judge in many cities. Individually the justices of the peace possess certain judicial powers, and may sit in judgment over petty cases.<sup>6</sup> Many of the justices do not care to exercise their judicial functions, and therefore do not hold court, but serve the county only in their capacity as members of the quarterly court. On the other hand, there are justices who exercise their judicial functions to the nth degree, and are able to collect quite a bit of money in fees. Some of these cases are carried out in strict accord with the law, while on the other hand, the great mass of

<sup>3</sup>*Johnson v. Brice*, 4 Cates, 59-66; Shannon's Code, Sec. 6025.

<sup>4</sup>Constitution of 1870, Art. VI, Sec. 15.

<sup>5</sup>Shannon's Code, Sec. 6027. The powers of the court include (1) probate of wills, (2) granting of letters testamentary, (3) all controversies in relation to the right of executorship or of administration, (4) settlement of insolvent estates, (5) settlement of accounts of executors and administrators, (6) partition and distribution of estates of decedents, (7) partition, sale, or division of lands, (8) appointment and removal of guardians, (9) allotment of dower in lands, (10) changing of names and the legitimation of children, (11) issuance of inquisitions of unsoundness of mind, (12) binding out of apprentices.

<sup>6</sup>Shannon's Code, Secs. 5935, 6930. The jurisdiction of the justice of the peace in civil cases extends to the following: Notes, etc., of \$1,000; on accounts of \$5,000, under the stray laws, to \$100; mechanics lien; equity cases not over \$50; forcible entry; and tax suits, for back taxes, to any amount. The criminal jurisdiction of the justice extends to all small offenses, and to all charges of vagrancy. The powers of the justices of the peace as outlined in law are as follows: (1) to make preliminary examinations and bind over reputed father in bastardy cases, (2) to summon a jury of inquest in cases of death by accident, (3) to issue warrants for a prisoner escaped from jail, (4) to examine persons arrested for crime, (5) to bind defendants over to a higher court if guilty, and (6) to take bail in bailable offenses brought before them.



business done by the justices in this capacity might be branded with the mark J. P.—Judgment for the Plaintiff, always, regardless of the case.

The quarterly court, as the administrative head of the county,<sup>7</sup> corresponds functionally to the county board of commissioners in South Carolina, to the county commissioners in Maryland, North Carolina, and Florida, to the board of supervisors in Mississippi and Virginia, to the fiscal court in Kentucky, the police jury in Louisiana, the court of common pleas in Arkansas, and to the county court in Missouri. Besides the customary functions of raising and spending money, the supervision of public works and buildings, and the administration of poor relief, the quarterly court appoints the following officers: coroner, ranger, surveyor, poor house commissioners, notaries public, public administrators and public guardians, cotton and tobacco weighers, road commissioners, jail physician or health officer, entry takers, revenue commissioners, and school superintendent.<sup>8</sup>

As will be shown, the court is a rather large body, and since it is practically impossible for a large body to function successfully without leadership, the law provides that there shall be a steering committee, called the finance committee or the committee on ways and means, composed of three, five or seven persons who are members of the court.<sup>9</sup> This committee is actually the head of the county, and is generally made up of the best qualified and ablest men on the court, who give liberally of their time and talent to the services of the county. While final decisions are made by the full court, the chief business functions of the county are really under the direction of this small commission selected by the entire membership. Yet there is always the possibility that the entire court will control the destinies of the county, despite this body of men.

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<sup>7</sup>This is true of all the counties of the state, except Shelby. The Acts of 1911 (Private), chapter 237, provide for a Board of County Commissioners, to exercise all powers and discharge practically all the duties performed by the quarterly court in other counties. The powers of the Shelby County Commissioners have been constantly added to until now the board exercises practically all the power not specifically prohibited by the constitution. These acts were held constitutional in *Prescott v. Duncan*, 18 Cates 106.

<sup>8</sup>*Johnson v. Brice*, 4 Cates 59, 63-66; Shannon's Code, Secs. 6013, 6019, 6041, 1144, 3194, 2081, 3485, 582b2, 6039, 3048, 3104, 465.

<sup>9</sup>Laws of 1901, Chap. 602, Sec. 9, subsec. 2; Shannon's Code, Sec. 762.

## SURVEY OF THE JUSTICES OF THE PEACE

In order to shed some light on this all-important administrative body of the county, a questionnaire was sent to each county judge or chairman of the court in the state asking for the number of justices in his county, together with the name, church membership, years of service on the court, previous public office held, private business, and education of the justices. Replies were received from thirty of the ninety-five counties. These counties are scattered over the different sections of the state, and, we may believe, the reports from these are representative of the county court members over the entire state, and thus some generalizations can be drawn using these counties as a basis. It might be said that the county judges of East Tennessee are apparently more willing to cooperate in such a matter than the judges of West and Middle Tennessee. The distribution of replies proves that the more progressive the county, the more willing and ready are its officers to submit to having the light of publicity thrown on their organization and work. As a section of the state, East Tennessee is more progressive than either middle or West Tennessee, and is apparently freer from boss rule and thus more able to withstand the light. We remember, in this connection, that the courts of East Tennessee are composed of both Republicans and Democrats, while those of the other sections are dominated by one party only.

In the thirty counties, reports were made on 716 justices of the peace, an average of almost 24 magistrates per county. The smallest county reporting—Trousdale, in Middle Tennessee, with an area of 106 square miles and a population of 5,996—has twenty justices, while the largest county reporting—Cumberland, in East-Central Tennessee, with an area of 655 square miles, and a population of 10,094—has nineteen magistrates. The smallest courts were in Perry County (West Tennessee) and Clay County (East-Central Tennessee), with ten members, while Pickett, Fentress, Bledsoe, and Polk counties, all in East Tennessee, report eleven members each. Middle Tennessee counties seem to have larger courts; Rutherford, with Murfreesboro as the county seat, and an area of 614 square miles and a population of 33,059, has a court of 52 justices of the peace, while Giles County, with Pulaski as the county seat, reports 47 magistrates; Montgomery County, with Clarksville as the county seat, has a court of 46 members,

and Davidson, of which Nashville is the county seat, has 45 magistrates on its court.

If the 716 justices of the peace in thirty counties of the state may be used as a basis for generalization, there are several conclusions we may draw regarding the Tennessee quarterly court. In the first place, the court is not a means of political advancement. This is shown by the age of the members. The average age of the 568 reported on this item is 52.8 years; the median age being 54 years. One seeking political advancement beyond the county court would certainly start his career at an earlier age. The youngest man reported is 24 and the oldest 93 years of age. Thirty-seven justices were reported as seventy or over, while fifty-two were reported below forty.

The same conclusion is confirmed when we consider the years of service on the court. Of the 527 reported on this item, we find that the average years of service are 8.62, while the median is six. This means that the average justice has served one term of six years, and is beginning his second term. The shortest term anyone has served is six months, while the longest term of service is forty years. Two hundred seven were reported as serving their first term, while fifty-five have served 10 years, thirty-one 12 years, twenty-five 16 years, and sixteen have been members of the court for 20 years.

While the court is not a means of political advancement, neither is it a political shelf for superannuated politicians who have served the county faithfully in other county offices. The median age of 54 years, where there are only thirty-seven justices over seventy years of age, out of the 568 reported, means that the court is made up largely of middle-aged men, who are still capable of very efficient service. In regard to the matter of previous public office held, there were 572 reported, and 491, or about 86%, of these had held no other office within the gift of the people. This fact, aside from the question of age, means that their election to the court is not a reward for prior service to the county or the state. Among the few who have held public office before their election to the quarterly court, there are twelve who have either been sheriff or deputy sheriff, twelve who have served in the state legislature, eight who have filled the office of county judge,

sixteen ex-postmasters, and five who have been county trustee, circuit court clerk, or assessor.<sup>10</sup>

Another conclusion we may draw is that the county administrative body is a body of conservative, rural protestant dwellers of average ability and training. For one thing, the median and average age would lead us to believe this. But an investigation of the education, private business, and church membership of the justices strengthens this conclusion. In regard to the private business of the 568 reported on this item, 362, or about 64%, are farmers, 68 are merchants, sixteen earn their livelihood by teaching school, eleven are engaged in the lumber business, nine are employed as miners, seven follow the legal profession, six are ministers of the gospel, and six are bankers.<sup>11</sup> A review of the whole number is a fair cross-section of Tennessee life. In the matter of residence, the great majority live in the country. Even in the urban counties of Davidson and Knox, with Nashville and Knoxville as the respective county seats, the majority are from the rural districts. Of Davidson's forty-five magistrates, only nineteen are from the city of Nashville, while about three-fifths of the thirty-eight members of the Knox County court are from the rural districts outside the city of Knoxville.

Of the 575 justices reported on the question of church membership, the Baptist and Methodist claim more than all other denominations combined—196 and 158 respectively, with the Christian church in third place with sixty magistrates. Other faiths represented on the courts with their respective numbers are as follows: Presbyterian, 28; Disciples of Christ, 12; the Catholic, Jewish, and the Holiness churches, two each; while the Cumberland Presbyterian, Episcopal, and the Pentecostal faiths are represented by one each. It is interesting to note that of the large number reported only thirty-three are not church members, and

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<sup>10</sup>Other previous offices held by the justices, with the number who have held them are: Members of the school board, 4; constable, 3; coroner, 2; city commissioner, 2; mayor, 2; and road supervisor, register, oil inspector, clerk and master, county clerk, surveyor and school superintendent, one each.

<sup>11</sup>The private business of the remaining were reported as, doctors, carpenters, manufacturers, railroad employees, real estate dealers, saw mill owners, laborers, undertakers, millers, clerks, grain, feed and coal dealers, furniture dealers, druggists, salesmen, contractors, barbers, bookkeepers, garagemen, insurance agents, editors, jewelers, civil engineers, veterinary surgeons, post-office clerks, packers, restaurant operators, auctioneers, blacksmiths, watchmen, cotton buyers, and hotel managers.



the religious affiliations of seventy-four are unknown to the county judges. We have observed that many of the more prominent state officials are members of the Baptist and Methodist churches; the governors for the last eight years have been Baptists, the present governor even is the moderator of his home association. We are wondering if the fact that Baptists seem to be in control of the counties, has any remote connection with the state situation. But aside from this point, the Baptists and Methodists in Tennessee are conservative; likewise is the quarterly court. In the matter of education, the 518 justices on whom reports were made represent a true cross-section of the people of the state. We remember in this regard Tennessee ranks fortieth among the states in the matter of literacy. Three hundred sixty-six of the 518 reported, or 70.65%, have had only a common school education, while 101 have had the advantages of a high school training, and 36 may be considered college men. The remaining 15 were reported, poor, very poor, or little—construe this as you will.

Our last point, based on statements of county judges, editors, and state officials, is that the quarterly court is the county political machine, the members of which are content to manage the county affairs, in their own quiet way, and through the county to exert a powerful influence on the destiny of the state. The quarterly court is not only the controlling factor in affairs touching the county alone, but the members of the court are the political leaders in their respective districts, and as such absolutely control the election of representatives to the state legislature. The Tennessee Constitution, made in 1870, which provides for the justices of the peace and outlines their powers and jurisdiction, has not been modified since it was made. Despite some difficulties in the amending process, the only sound reason that has been given for this maintenance of a *status quo* is the power of the justices of the peace. If a convention is proposed to remake the constitution, they fight it and successfully defeat the proposal, as they have done on some three occasions, fearing that they may be deprived of their power and prestige in such a revision. Recently a group of interested citizens suggested to a few members of the state legislature that they could perform a great service to the people of the state if they would put into motion a proposal to abolish the office of justice of the peace, and exert all their energies toward that constitutional change. These legislators stated that

such action on their part would be their easiest means of committing political suicide. Not only would they be refused the privilege of representing their county in the next General Assembly, but they would undoubtedly meet with stubborn opposition and be compelled to face severe rebuffs on the floor of the legislature, since so many members of the General Assembly are under control of the justices of the peace in the counties they represent. The prospect for a constitutional revision seems to be stranded on the reef of magisterial opposition.

#### REFORM OF COUNTY GOVERNMENT

Tennessee is pioneering in two reformatory endeavors. The first is now being worked out in the field of county highway financing. The legislature, in 1927, passed a measure providing for state assumption of the obligations of the counties for road building.<sup>12</sup> By this act the state is directed to repay to the several counties the expenditures, with interest at five per cent, incurred by the counties under the direction of the state highway commission for state and federal road building since 1915. Under this plan \$30,000,000 will have been refunded to the counties within a period of twenty years. The first payment was made January 1, 1929, at which time the proceeds from one cent of the gasoline tax since July 1, 1928, was pro rated to the counties according and in proportion to the principal amounts to be paid them. These payments will be made semi-annually hereafter, if there is a balance in the sinking fund after the necessary interest money has been deducted. Approximately \$900,000, the amount collected for this purpose since July 1, 1928, has been distributed among the different counties. According to the act, the state does not assume the responsibility for any of the county road bonds, but the counties must apply all money distributed to them for the sole purpose of paying the interest and principal on the bonds until they have been paid and discharged.<sup>13</sup> Every dollar the county appropriates hereafter for roads will be spent on county highways, while the state will assume the burden for all primary roads. Under this plan the network of county roads in the state should equal those of any other state in the union.

<sup>12</sup>The bill was signed by the Governor, April 12, 1927.

<sup>13</sup>*The Nashville Tennessean*, Sept. 30, 1928; *The Nashville Banner*, Jan. 9, 1929.

The second reform in Tennessee county government has to do with the consolidation of counties. In 1919 James County was abolished, on its own request, and added to Hamilton County, with Chattanooga as the county seat. Since that time the improved road mileage in the county has increased from slightly over one mile to about sixty miles, the length of the school term has been changed from three or four to eight months per year, and all despite the fact that the people of one-time James county now pay taxes at the rate of \$1.40 on the hundred, as compared with \$3.80 before the consolidation. It has been suggested by the chairman of the state tax commission that this gradual method of consolidation be encouraged and fought for until we see a consolidation of the counties surrounding the four principal cities of the state, Memphis, Nashville, Knoxville, and Chattanooga, and the number of counties be reduced from 95 to approximately 40. The State tax superintendent has suggested a more radical scheme of consolidation, whereby the 95 counties of the state will be recast into eleven new units, the county seats of the new and enlarged counties to be the chief cities of the groups, which are the railroad and highway centers of the districts.<sup>14</sup> It is hardly expected that either proposal will materialize soon, for a great amount of education will be needed on the matter. But the idea seems to be growing. In 1927 the courts of Hamilton and Meigs counties, in joint session, agreed to sponsor a bill in the legislature to abolish Meigs County, and annex the greater part of it to Hamilton County. Such a measure was introduced in the 1927 session of the legislature, but was defeated because of the opposition of the representatives from Meigs and Hamilton counties. Between 1927 and 1929 the opponents of consolidation apparently were active, since no bill was introduced in the session of the legislature in 1929 to carry out the desires of the courts of these counties.

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<sup>14</sup>These plans are described in, Manning, J. W., "County Consolidation in Tennessee," *National Municipal Review*, 17:511-14, Sept., 1928, and *American Pol. Sci. Rev.* 22:733-35, Aug., 1928.

## RELATION OF THE SHORT BALLOT TO EFFICIENT GOVERNMENT AND POPULAR CONTROL

BY GEORGE W. SPICER

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This paper is based upon the assumption that the American people are desirous of achieving and maintaining a government that combines the maximum of administrative efficiency with the greatest possible amount of popular control. It must be admitted at the outset that this is an ideal of government difficult of realization, but it is the writer's conviction that the nearest approach to this ideal lies in the simplification of the voter's task to the point where he can and will perform this task intelligently and discriminatingly, and in the definite fixing of administrative responsibility so that he can hold officers of government strictly responsible for results achieved. In short, the way to this desired goal is through the complete application of the short ballot principle.

It is, therefore the purpose of this essay to examine the short ballot principle in its relation to efficient government and popular control of government, and to suggest a plan that may accomplish each of these ends.

Young America set out upon her experiment in democracy with the laudable object of placing the control of government in the hands of the people, of setting up a government thoroughly democratic in motive and in form. She was more intent upon this than she was in making the government efficient. Liberty must be had at any cost. This theory did not work badly while governmental problems were few in number and simple in nature. But there came a time, as economic and social conditions grew more complex and intricate and the problems of government, therefore, more difficult of solution, when it was observed that there was neither efficiency nor control, a time when it was generally conceded that our entire representative system was subject to the control of political "bosses" and "machines." Thus the people no longer actually chose their representatives and the latter no longer served the public interests unless forced into doing so by some extraordinary outbursts of popular indignation. Instead,



they were controlled by private influences and interests which the people could in no way hold publicly responsible.<sup>1</sup>

Thus we were brought face to face with the problem of how to make our government representative, efficient and responsible. We are still confronted with this same problem, for the conditions which gave rise to it still obtain in most of our states, in many of our cities, and in practically all of our counties.

#### THE SHORT BALLOT AND EFFICIENCY

Now, efficiency is largely a matter of organization. To have an efficient organization, there must be definite authority centered in some single head whom the people can observe and control. In this single head all the reins of power are centered and unified; upon his shoulders is placed full and final responsibility for the efficient administration of government. He cannot dodge this responsibility, for there is no one upon whom he can shift it. It is only in this indirect way that the people can exact efficiency in government. They cannot do it by electing all or many administrative officers, and then attempting to hold these severally responsible for results achieved. This results in a dissipation and an obscuration of responsibility in which the citizen inevitably loses his bearings, and then surrenders his impossible task to the more expert political boss.

As a sample of our direct responsibility of all officers to the people as a legal system, Woodrow Wilson writes of a sheriff who in one of the states allowed a prisoner to be taken from him by a mob and hanged. He made no pretense of resistance; and when the Governor of the State wrote him a sharp letter of censure for his criminal neglect of duty, he impudently replied that the Governor would do well to mind his own business. The fact was, as the sheriff stated, that he was not responsible to any other officer whatever, but only to the voters of his own community, many of whom doubtless had composed the mob that took his prisoner from him. He was never called to account for what he had done.<sup>2</sup>

But efficiency in government is not only a matter of organization, but also a matter of the proper selection, use, and control of experts. In modern governments, with their complex and specialized problems, the use of experts is imperative. The National

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<sup>1</sup>For an illuminating discussion of these conditions, see article, "Hide and Seek Politics," by Woodrow Wilson in *North American Review*, May, 1910.

<sup>2</sup>*North American Review*, Vol. 191, p. 587.

Government is today making use of every art and science known to man, and in the application of these hundreds of experts and scientists of the highest order are being employed on a permanent basis. Yet an examination of our state and local governments reveals a deplorably limited use of experts. In these governments persons of specialized knowledge and training are employed only in a few recognized professions. In most states there is no demand that the administrator of finances, the director of the educational system, and other officers of a similar nature shall have any special knowledge of the affairs which they are to conduct. Such duties are very unwisely intrusted to a "periodically shifting body of officials drawn for political motives from an inexperienced public."<sup>3</sup>

The need for experts in modern governments is greater than it ever was in the past. The technical character of modern problems makes indispensable the use of expert service in solving the questions of the day. If our systems of taxation and finance are to be perfected and maintained upon a just and scientific basis, if public health is to be safely guarded, if the life and limb of the worker are to be adequately protected, if our system of justice is to be free from the blight of incompetence and prejudice—if all the important problems of modern government are to be ably and justly met, we shall need the most efficient experts and the best trained scholars that the country can produce.

Yet the system employed in most of the state and local governments of selecting the higher officials whose functions are of a technical nature makes it impossible, except by accident, to secure officers properly trained for such functions. Now it is absurd to argue as do the demagogues and corruptionists, that the people are eminently qualified to select such officers as the state treasurer, the superintendent of public instruction, the commissioner of agriculture, and the attorney-general. On the contrary, the people are in the very nature of the case wholly incompetent to select wisely these officials. Their duties are of such a nature as to make it impossible for the average voter, with his lack of knowledge of the technical requirements of these offices, to register any real or intelligent opinion in their selection. If the average voter were asked to outline the duties of these officers, he would find himself completely at sea. Indeed many voters do not

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<sup>3</sup>A. L. Lowell, *Public Opinion and Popular Government*, p. 275.

know who are filling these offices in their state. From observation the writer knows this to be true in Virginia.

No one would be so inane as to argue that the presidents of our state colleges and universities should be elected by the people. Yet there are many state offices now on an elective basis that require quite as great skill and special training as the presidency of a university.

The only method of selecting experts that promises both efficiency of service and responsiveness to public opinion is that of executive appointment. In case of popular election of experts the choice does not represent a true opinion, for reasons which have already been pointed out. This means that the election is governed by chance or the dominant political machine—neither of which is free from grave evils. The method of legislative appointment quite generally employed in the early days of our government proved to be, as Dr. Charles A. Beard has tersely pointed out, “about the most successful way of destroying responsibility that could have been devised.”<sup>4</sup>

The best method yet devised, as the experience of the National Government and of successful private business has shown, is that of executive appointment. The chief executive will, if he is competent for his task, have the capacity to discern the qualifications of those available for the positions to be filled, to direct and coördinate their work, and to see to it that they get the results that public opinion demands. Those technical and administrative officers who have no discretionary powers should be appointed by the executive from a list who have qualified under civil service regulations to be discussed in another part of this essay. With this safeguard the executive should be given full power of appointment and removal, and held to strict accountability for the results that he achieves through his appointed experts. What the public really desires in regard to the service of experts is to get results. Their interest in the scientific theories and technical methods employed by the State Board of Health, for example, is no greater than their knowledge of these matters. What they care about, and all that they care about, is that this service succeed in eradicating and preventing disease in the state. In a system of executive appointment the expert is responsible to his chief for good service, and the latter to the public for the general policy pursued and the general results.

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<sup>4</sup>*American Government and Politics*, p. 92.

## THE SHORT BALLOT AND POPULAR CONTROL

What about the short ballot and popular control? Will the application of this principle lead to popular government as well as to efficient government? In answering this question, it will be found that the methods of organization which lead to efficiency in government are also the methods which give the people control. This is a truth which is frequently misunderstood and denied. Those who advocate the short ballot principle as one of the remedies for the evils of American politics are denounced as the enemies of democracy, the promoters of an all-powerful, irresponsible oligarchy. They are told that they lack faith in the ability of the people to rule themselves. In point of fact, those who advocate the continuance of the long ballot are promoting the very conditions which they ostensibly lament as fruits of the short ballot. Under the long ballot it is commonly conceded that our representative system often fails to register the will of the people, and sometimes even successfully defies the people. What is the reason for this?

Now, the only effective instrument of control that the average voter has is the ballot, and he loses his power of control through this means when the ballot's burden becomes more than he can bear along with the other duties of life, or when he attempts to determine by ballot matters concerning which he neither has nor can have any intelligent opinion. In many of our state and local governments the voter still has an impossible task to perform. The duties devolving upon him have become so numerous that he cannot deal with them separately and is, therefore, forced to deal with them in the mass by a system of political machinery. Faced with a ballot carrying from a dozen to fifty offices with several times this number of candidates, the voter finds it impossible to exercise personal discrimination with respect to more than a few of the more important and conspicuous ones. For the others he votes ignorantly and indifferently, or he does not vote at all. Thus a major portion of the ballot is ignored, for the sufficient reason that the voter knows nothing better to do. He votes ignorantly and is, therefore being bossed as most voters are with regard to a large part of their ticket.

This state of affairs makes machine control not only inevitable but even necessary. There are occasional public wails against this machine control, but they are futile, for under the present circumstances in most states the machine is necessary, and cannot be



abolished unless the circumstances are changed. We have given the people something which is too vast and complicated for them to do in assigning them the task of selecting most of the officers of government. It must, therefore, be done by professionals who have a special, and sometimes selfish and corrupt, interest in the results of the election. Wherever the political work of the state is too obscure and complex for the average citizen to understand and perform, the professional politicians will do this work.

By our system of nominally electing most of the officers of government we have necessitated the setting up, outside the government, of a power which we should have set up inside of it; that is, the power actually to appoint and dismiss officers and to discipline the whole governmental organization, exercised by irresponsible bosses and machines instead of by responsible officers of the government. Obviously such a system as this is not, nor indeed can be subject to popular control. Through it the people have lost control of their governments instead of gaining that control. Under the impossible burden of the long ballot they have become unable to control either the selection of persons for office or their conduct after they assume office.

Now, if the trouble is that we have given the people an impossible task in asking them to choose the whole personnel of governments, the obvious, and only, remedy is to make their task simple and practicable, to make it something that they can and will do without neglecting other important duties of modern life. We have been wrong in supposing that we were making government responsive to the popular will by making most offices elective. Popular government does not depend upon the number of things that the voter does, but rather upon how well he does the things that he undertakes. "The cure for the ills of popular government is more attention by the people to the things they undertake, and that object is not promoted by undertaking too much."<sup>5</sup> What we need to do is to reduce direct popular action in our state and local governments and thereby increase popular control.

As a matter of fact and experience the people are placed in control of their governments only through the complete application of the short ballot principle. By this they elect only the most important and most conspicuous officers, allow those whom they

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<sup>5</sup>A. B. Hall, *Popular Government*, p. 245.

elect to appoint all minor officials and administrative agents, and hold them strictly responsible as the superintendents of their governmental business. In this way they make the power of the boss and the machine less necessary to the conduct of government. The duties of the citizen are thus simplified to the point where he can understand and perform them, and are made so important and conspicuous that he is interested and concerned in their proper performance, and he is consequently more independent of the boss. Now, it is not claimed in this essay that even a complete application of the short ballot principle will cause the politician to disappear. This is neither to be expected nor to be desired, for there will always be need of political leaders who make the public business their chief concern; but it is possible, the writer believes, so to curtail their power that abuse will be less likely and their responsibility more definite.

#### THE APPLICATION OF THE SHORT BALLOT

Practically, how should the short ballot principle be applied in our state and local governments? The principle generally agreed upon by advocates of the short ballot is that all officers whose functions are chiefly of a policy forming nature should be elected, and that all officers whose functions are administrative or technical should be appointed, not elected.

As applied to the state government, a complete application of the short ballot principle would place in the list of popular elective offices only the governor and the members of the legislature. All heads of administrative departments should be appointed by the Governor. All subordinate administrative agents should be appointed either by the Governor or the department heads under a merit system properly devised to insure efficiency in the service and to prevent the abuse of the appointing power for political reasons.

In the case of the legislature one chamber should be abolished so as to prevent a possible shifting of responsibility, and the number of members in the remaining chamber reduced to a point where the office will become conspicuous enough and important enough to attract more able persons to seek it. The size of the body would be determined by the size of the state's population and the variety and magnitude of its governmental problems. For a state like Virginia forty members would be ample. This change, which has worked satisfactorily in most American cities, would

make possible effective debate in open session of the assembly and thereby do away with the evils of the present committee system of legislation which is, for the most part, conducted behind closed doors, and with little responsibility to the public for what is done or not done.

As concerns the city, the complete application of the short ballot principle involves little more than the extension of the city manager plan already in successful operation in several hundred cities in the United States.

In the counties the principle might well be applied through the adoption of a county-manager plan, such as that recommended for Virginia by the New York Bureau of Municipal Research in an excellent report of its recent survey of county government in that state. This system involves the election only of a small board of supervisors, of three or five members, from the county at large. The manager is selected by the board of supervisors and serves at its pleasure; and he in turn appoints the heads of the other administrative offices of the county, who are directly responsible to him and serve at his pleasure.<sup>6</sup> All functions of the county government are placed under the direction of the manager, except those of a judicial character and those relating to elections. This plan, of course, involves a departmental grouping and consolidation of county administrative functions, and the abolition of useless county offices. Such a plan would be a boon to the counties in many states at the present time, where the county has no responsible head and the voters of the county have little power in the determination of county policies. Of the counties in Virginia it has been correctly asserted that the government in many of these counties "is grossly political, careless, wasteful, and thoroughly inefficient."<sup>7</sup>

The most difficult problem in this connection seems to be the proper method of selecting judges. Whatever method is used, it is imperative that it be one that will secure both independence and technical efficiency in the administration of justice, as well as responsibility to the people. The method of popular election used in three-fourths of the American states is not calculated to secure a technically competent judge. The method of election by the legislature employed in Virginia and three other states, has

<sup>6</sup>*Report on County Government in Virginia*, New York Bureau of Municipal Research, 1927, p. 6.

<sup>7</sup>*Ibid.*, p. 6.

little to commend it from the point of view of securing judges of independence and technical competence, unless by chance the recommendations of the bar associations are accepted. The fact is that since judges are experts, or should be, they cannot be satisfactorily chosen except by appointment. There are two possible methods of appointing judges, either of which consists with the application of the short ballot principle: First, there is the method of executive appointment which is employed in Massachusetts and four other states with marked success.<sup>8</sup> It would seem that this method would be improved by a requirement that the Governor appoint from a small list of nominees made by the State Bar Association. This would insure the selection of judges of judicial ability and technical competence, and at the same time place responsibility in the hands of the Governor. A second method is the appointment of the chief justice of the highest court of the state by the governor, and the appointment of other judges by the chief justice. The chief justice should be the chief administrator of the entire judicial system of the state. This method of selection would doubtless pave the way for a much needed unification and coördination of the present system of state courts.<sup>9</sup>

#### SAFEGUARDS OF THE SHORT BALLOT

It is contended by the opponents of the short ballot that to place so much appointing power in the hands of a single executive will enable him to build up a political machine with which he can defy the public. In answer to this contention it may be said that the chief executive, regardless of his machine, cannot continue himself in power in opposition to the people by whom he is elected, and reelected or defeated. The people can exact what they will as the price of their support. If in return for this support they demand results, the executive will do his best to see that they get results.

Another fact which should not be forgotten in this connection is that the long ballot, as has already been shown, has been the outstanding cause for the growth and power of the professional politician. The appointing power has been actually in the hands of these political experts. In short, "it is a choice of leaving the appointment of these officers to the discretion of the party boss, where the fixing of responsibility is difficult and hazardous; or

<sup>8</sup>Hall, *op. cit.*, p. 262.

<sup>9</sup>Cf. A. N. Holcombe, *State Government in the United States*, p. 420.



giving the power to the chief executive whose responsibility is definite, fixed, and certain."<sup>10</sup>

But the safety of the short ballot is not dependent solely upon such considerations as the above. There are two very definite safeguards which the people may and should invoke against the possible abuse of executive power; namely, an independent, centralized audit system, and an efficient merit system. Administrative power should be balanced and held in check by independent audit and publicity respecting executive waste and incompetence in the expenditure of state funds. The comptroller or auditor, to be chosen by the legislature, should be empowered and required to act as an auditor of efficiency and economy in the expenditure of state funds, as well as of dishonesty, inaccuracy, and illegality. Such a duty is imposed upon the comptroller general of the United States in the Budget and Accounting Act of 1921 in requiring that official to examine all uses of funds and to report at least once a year where greater efficiency and economy are possible.

An efficient merit system is desirable both to meet the technical problems of administration and to prevent the possible abuse of executive appointing power. State civil service laws are already in force in nearly a dozen states, and much good has been accomplished under them, but it should be observed that the introduction of the short ballot is a necessary preliminary to the full and effective use of the merit system.

To accompany the application of the short ballot there should be a personnel agency with the power not only to devise a system of formal tests for applicants for employment in the civil service of the state, but also to make any investigation of education, capacity, experience, or other qualifications of applicants, which in its judgment will serve the best interests of the state service.

Perhaps the most difficult question that arises in this connection is, "How shall the personnel agency be constituted and selected?" A plan favored by the National Civil Service Reform League and the National Assembly of Civil Service Commissions, but which has not been tried out in practice, is that the personnel agency should be made up of a commission or board of one person chosen by the chief executive through competitive tests. An advantage claimed for this type of organization is that it would insure the appointment of a commissioner experienced in public personnel

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<sup>10</sup>Hall, *op. cit.*, p. 266.

work and otherwise qualified.<sup>11</sup> The form of personnel agency in most common use is that of a bi-partisan commission or board of three members, appointed by the chief executive with overlapping terms. Any effective civil service law will afford adequate protection to officers and employees in the service through the provision that they cannot be removed except for incompetence or misconduct, and then only after formal charges have been preferred and a public hearing had.

#### CONCLUSION

In seeking to estimate the probable success of a complete application of the short ballot principle, it is well to remember that it is not a new device of government. It is as old as the foundations of the United States and has worked successfully for one hundred and forty years in the National Government. In hundreds of American cities it has brought efficiency and economy and responsiveness to the popular will out of a system, which the late Dr. Charles W. Elliott declared had "brought us into the worst condition of municipal mis-government the world had ever known." Although there has been no complete application of the principle in any American state, even a partial application in a number of states has, according to authoritative reports, resulted in greater efficiency, reduced expenditures, and increased revenues.<sup>12</sup>

Now, of course, it cannot be claimed that the mere adoption of the short ballot will automatically remove all the evils of civil indifference. All that it does is to provide the voter with an instrument which he can use with the maximum of efficiency and the minimum of effort and time; but he must use it. If the people are sufficiently interested, they can make of it an effective instrument of efficient government and of popular control. It places the emphasis upon the results of government rather than upon antiquated theories of politics; it confines popular election to that realm in which the people may act intelligently and wisely and thereby produces a government that is popular in fact as well as in theory.

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<sup>11</sup>See *Merit System in Government*, National Municipal League, New York (1926).

<sup>12</sup>See A. E. Buck, *Administrative Consolidation in State Governments*, National Municipal League (1928).

## BOOK REVIEWS

EDITED BY O. DOUGLAS WEEKS

*The University of Texas*

Smith, Preserved, *A History of Modern Culture*. Vol. I, *The Great Revival, 1543-1687*. (New York, Henry Holt and Company, 1930, pp. xi, 672.)

Prior to the eighteenth century, history was a branch of literature. With Voltaire, however, there came a new emphasis, and he became the first author of a history of civilization. To him, "ideas have changed the world; all else is subsidiary. . . . The controlling force is intellectual and the conditions prevailing at any time are the outcome of the ideas operating through individuals, classes, and institutions, which are themselves the expression of these ideas." This emphasis upon cultural and intellectual history declined, however, with the increase in the influence of nationalism and the new interest in physical science in the latter eighteenth and early nineteenth centuries. The former of these two influences made political history history *par excellence*; the latter attempted to make it a scientific study. In Ranke, are found summed up these two characteristics of nineteenth century historiography. Recently, there has been a renewed interest in cultural history as witnessed by the publication in France of the monumental series *L'histoire de l'humanité*, and in this country and Great Britain of the *History of Civilization*. The author in his introduction says:

The present volume aims to exhibit as a unified whole the state and progress of modern culture. There is more reason for doing this, as it has hardly ever been done. Histories of literature, of science, of philosophy, of learning, of religion, and of all branches of them, as well as many other particular divisions of culture, there are; but hardly any history of that complex whole that includes knowledge, belief, morals, law, customs, opinions, religion, superstition, and art.

The author has undertaken for himself the tremendous task of describing in four volumes the whole complexity of modern civilization. Any one who reads this work carefully, and notes the remarkable bibliography of forty-four pages with its seeming summary of all the secondary and original sources of the period will have to confess that Professor Smith has accomplished what he has set out to do.

As decisive factors in the development of modern culture, he enumerates four: (1) the invention of the printing press (c. 1440), (2) the geographic discoveries of the later fifteenth and early sixteenth centuries, (3) the rise of capitalism, and (4) the growth of science. To these four influences as "formative factors of modern culture" is added a fifth—the rise of nationalism. "In all ages, the devotion of the individual to his group has been a strong and constant factor." The modern state, however, has been different in its characteristics from the grouping of any other age. In the Middle Ages, its place was taken by the Roman Catholic Church and The Holy

Roman Empire with the medieval man owing his allegiance to some local division. The modern state has been of far greater influence and around it has revolved every form of modern culture.

Professor Smith finds four general characteristics of the period under study: (1) the growth of world unity, (2) the enormous increase of wealth and of population, (3) the development in modern times of vast democracies and the concomitant spread of popular education, (4) the secularization of modern society. "To the historian of culture the rise and development of the natural sciences in the last four centuries may well seem the most distinguishing characteristic of modern times, and perhaps the most important event . . . in all history."

The introductory chapter in addition to the definition of the subject and its periodization includes a brief resumé of political and social conditions. As a former student of James Harvey Robinson, the author opposes the traditional view of the modernity of the Renaissance and the Reformation, and rightly credits the Commercial Revolution as being the real underlying source of Western civilization. Regarding the first of these movements, he declares:

Of these determining factors the least important, and the most overrated, is the Renaissance. Defining that word in the proper sense of the rebirth of classical antiquity, we can attribute little to the Renaissance except some instruction to the generation emerging from medievalism in the art, literature, morals, philosophy, and science of the ancient Greeks. This was valuable to an age that had much to learn, but it was soon outgrown and thereafter acted as an oppression rather than as an emancipation. The ideal of the humanists was in the past; they looked backward not forward; they derided or opposed all the emancipating forces in their own age except those for which some analogy could be found in antiquity.

The author's treatment of the Reformation strikes one with its novelty; especially when contrasted with his former studies upon that subject. For this reason, it carries more weight. Regarding that great historical epoch, he says:

Considerably more important for the history of the sixteenth and seventeenth centuries is the Reformation, though that too, was in many respects a reactionary movement, the return to an ideal of a long past age and the revival of the medieval spirit, just as it was, in other ways, being outgrown.

As progressive influences of the Reformation, he recognizes that the Protestants contributed to the growth of individualism in religion and to philosophic monism; that they were forced inevitably to be more tolerant than their predecessors; and that they developed the Protestant *ethik* with its emphasis upon the virtues of industry and the alliance of Calvinism with the new capitalism. Among the evil effects of the Protestant Revolt were the wars of religion with their cruelty and their devastating effects upon economic and social life. They, however, struck a "hard blow at all



authority and tradition," and, as an aftermath, helped to develop a more tolerant, secular, and rational attitude toward life.

The book is divided into four parts: Part I, the Sciences; Part II, the Humanities; Part III, Social Control; and Part IV, the Spirit of the Times. Part I contains six chapters upon Astronomy, Physics, Mathematics, Biology, Anatomy, and the Scientific Revolution. The final chapter of this part summarizes the causes for and the influence of science in seventeenth-century thought:

The genius of seventeenth-century Europe brought forth many imperishable masterpieces in literature and art, subdued and colonized the other continents, and gave birth to liberty and popular government in the Netherlands, in England, and in North America. But the supreme glory of the seventeenth century . . . and the chief importance lies in its scientific achievements.

Dr. Smith accepts the view of the anthropologists of the Boas school that modern science was the result of social and economic conditions rather than biological progresses.

The genius of the Greeks in antiquity and the expanding mental capacities of the European races as a whole may explain part, but only the smallest part of the growth of science for a few centuries in ancient times, and again for the last few centuries. Changing conditions account for far more than do slow biological processes.

The real reasons for the advance in science in modern times he finds in the number of men drawn into intellectual pursuits; the peace resulting from the establishment of strong centralized governments; the accumulation of wealth and the concomitant growth of a leisure class; the development of a secular culture primarily interested in this world; and, especially, the invention of the printing press and its dissemination of knowledge.

Part II has chapters upon Philosophy, Political Theory, Historiography, and Biblical and Classical scholarship. In his chapter upon philosophy, the author shows that philosophy and social science are the resultant of men's rationalizations; that the new social and economic changes made necessary a new social *ethik*.

Part III is devoted to Education, Religion, Free Thought, Superstition, Persecution, and Tolerance, and the Character of the Law of the period. Part IV takes up the subjects of Morals and Manners, Literature, Art, and the Character of the Age. Under the last topic, a resumé is given of the achievements of the Age of the Great Revival in politics, religion, science, literature, and art.

We shall await with interest the future volumes of this history of modern culture. If the present volume is any indication, we may rightly expect a clarification of the many mazes of the last three centuries of human civilization.

GILBERT GIDDINGS BENJAMIN.

University of Southern California.

Wissler, Clark, *An Introduction to Social Anthropology*. (New York, Henry Holt and Company, 1929, pp. 392.)

The mass of anthropological literature is now so vast, is so varied in character and is so scattered in the sources of publication that any considerable attempt to epitomize it, to integrate it, or to draw from it its most valuable and pertinent lessons for students of other social sciences and for the intelligent general public must be welcomed. In view of the growing importance of anthropology as an academic line of study, of the very important contributions it is making to our knowledge of the nature of man and of the factors that have shaped and must shape civilization it is tremendously important to make its data and its findings available for all students of man and his ways.

A national system of education would now probably place anthropology antecedent to, and make it basic for, all more specialized study of social science.

When the attempt to epitomize and integrate the facts and general findings in this field is made by one possessing the special fitness for the task of Dr. Wissler the whole academic world is to be congratulated upon its good fortune.

Wissler's profound and widely ranging knowledge of the literature of anthropology is evident throughout this book, as is also his sound general scientific training and his fine sense of balance and proportion. Nowhere in the book does one find him writing under the influence of any narrow or fanatical school.

The style is good and the discussions are clear and intelligible. The writer is especially free from the temptation to a pedantic use and flourish of technical terms and from the pose of mentioning all the publications possible in documentation and bibliography. In both of these respects the book is sane and well proportioned.

Some criticisms of the book as a text to serve as an introduction to the study of social anthropology seem to the reviewer pertinent.

There is no adequate attempt to account for the existing differences among the peoples of the earth in culture status. Wissler is, in a large measure, a follower of Freidrich Ratsel, the founder of anthropogeography and depends upon geography to account for the differentiation and characterization of cultures. That this factor is operative at all times and is very important cannot be denied by any one who has made any considerable study of the early social life of man, but, that it is far from being even the chief factor in accounting for the culture situation in the present world, is at once made evident by mere mention of Australia, New Zealand, South Africa, and the Americas. That long established, thoroughly integrated cultures may be transferred bodily by racial migration from the geographical environments in which they originated to radically different environments and may long persist in the latter without very profound modification, may be verified by many citations from the present general cultural situation and is borne out also in history and archaeology as far back as we can go.

Finally, Dr. Wissler does not, in the judgment of the reviewer, give anything like due emphasis to the native genius of races and peoples in accounting for the character of specific cultures. He is too much under the

influence of that form of social religion which regards mankind as a thoroughly homogeneous species and that men the world over are like bricks made by one process in one machine, all having the same size, hardness, and durability, and differing only in color. This view assumes that culture is the architectural structure and is not affected by the bricks used, since all are essentially the same. This assumption ignores the fact that races are the outcome of long standing adaptation to environment, that they are older and consequently more difficult to modify than any of the specific types of culture, amalgamation being the only quick means of breaking them down and this entailing prolonged social confusion if the stocks involved are old and far apart. Compare, for instance, the mestizo societies of Latin-America and their constant revolutions, with that of the United States and its relative stability.

The behavior, respectively, of the Chinese and of the American Negro in the present United States, in the matter of thrift, foresight, and general ability to take care of themselves in a white man's world, can be accounted for only by an appeal to inherent racial characters built up through long periods of time in the geographical environments of China and of tropical Africa.

Notwithstanding the above mentioned discrepancy, the book is a timely, scholarly, and altogether valuable contribution to the interpretative literature of social anthropology and all teachers of social sciences should know it and keep it at hand.

J. E. PEARCE.

The University of Texas.

Kelley, Truman Lee, *Scientific Method: Its Function in Research and in Education*. (Columbus: The Ohio State University Press, 1929, pp. 195.)

Under this title the author presents a series of five lectures, delivered at the Ohio State University under the auspices of the Graduate School and the Department of Psychology. The subject matter, we are told was "drawn from literature, class activities, and research work." The lectures include "philosophical, historical, and very recent experimental material." The titles are as follows: (1) Interrelationship between Method of Research and Field of Experimentation; (2) The Rôle of Judgment in "Objective Measurement"; (3) In What Units Shall We Measure Intelligence and Achievement?; (4) The Bearing of Recent Scientific Development upon Problems of Education and Inheritance; (5) Mental Traits of Men of Science.

Research, Professor Kelley believes, is well worth while even though the odds that called-for research will be successful are greatly against us. The selection of a field and method of research requires the highest talent; in the first lecture, therefore, attention is given to delimiting the fields of science, and certain suggestions are made regarding the abilities required for success.

Instead of a single scientific method, he finds at least four: (1) dialectic or logic, (2) the experimental method, (3) the historical method, and (4) the method of future estimation. (The list is arranged in the order of definiteness and rigor.) The greatest hazard of logic is the *non sequitur*. The

historian, who must give his picture with as little bias as possible, has a difficult problem in the selection of sources and in the presentation of his material so that it will contribute to an understanding of the present and the future. The experimental method must establish the approximate similarity of successive trials and measure the degree of success of the attempts to achieve this similarity. The person who investigates the future cannot rely on repetition of the set-up and the outcome as does the experimenter; human judgment is necessary.

The questionnaire is an instrument for obtaining the consensus of opinion in dealing with human values. "This wayward child of sciences," he says, will be indispensable "unless and until experimental science relieves us of the need of human judgments." This is his conclusion of a stimulating discussion of a questionnaire which he used on his colleagues to determine the place that scientific workers assign to the questionnaire and to determine their ideas of giving proper credit for assistance in research.

In his lecture on units of measurement of intelligence and achievement a brief account is given of a statistical attack on the problem by Dr. Kelley himself. Among other things he proposes a "new criterion" for a "native intelligence scale"—that the correlation between an individual's score at one age and the same individual's score at a later age will be as nearly perfect as chance factors in the test will permit. Again he points out that if traits can be found and measured in terms that will show them to be independent, these units will be the "natural" ones.

Problems of the curriculum and of heredity are discussed in the fourth lecture. In curriculum construction the author believes that word counts and frequency values are useful but that the exercise of judgment is necessary in utilizing them. Introduction of the experimental method will affect both curriculum research and the philosophy of the curriculum. The benefits of a common knowledge of scientific method are as yet unrealized. The man of science may need a capacity and training different from that appropriate to the man of letters.

In eugenics, knowledge has already outstripped the racial spirit necessary to make it effective, he says. In breeding, however, we need to know more than we now know as to what the independent mental traits are.

The last lecture on men of science discussed the traits of Bacon, Darwin, Galen, Galileo, and others, and drew up four lists of traits: (1) traits which all scientists have; (2) common but not universal traits; (3) traits which are not uncommon; and (4) traits which are not unknown. Somewhat abbreviated in statement the universal list is this: industry, questioning of authority, ingenuity in hypotheses, sound logic, keen observing, dependence on observed facts, inventiveness in techniques, richness in number and variety of hypotheses, and hypotheses amenable to factual test.

This sketchy account can give but an inadequate idea of Professor Kelley's discussion in these five lectures. They are worthy of serious attention both by university professors and by advanced students, particularly in education.

H. T. MANUEL.

The University of Texas.



Smith, Alfred E., *Up to Now: An Autobiography*. (New York, Viking Press, 1929, pp. 434.)

A simple straightforward narrative, this would seem to be really the work of Alfred E. Smith without the intervention of a "ghost writer." One can imagine him dictating it to a stenographer, in the same way that he says he delivers his speeches, from notes jotted down on the backs of envelopes. It is therefore fresh and brimming with interest, but its style is very plain—almost blunt.

The growth of New York is almost as important to the story as is the growth of Smith. Born literally in the shadow of the Brooklyn Bridge of thoroughly respectable though poor parents, who were not at all slum dwellers, he was left fatherless at the age of thirteen and was forced early to help out with the family income. Graduating from the F. F. M. (Fulton Fish Market) clerkship, he entered public service as a process server in the office of the commissioner of jurors at the age of twenty-two, though two years earlier, before he was able to vote, he had entered politics strangely enough in opposition to Tammany. It was about seven years later that he actually became a member of Tammany Hall and two years after that, in 1903, he was elected to the Assembly. Thereafter things seemed to come easily for him and the rise took him quickly through the positions of speaker of the Assembly, member of the Constitutional Convention of 1915, sheriff of New York County, President of the New York City Board of Aldermen, Governor for one term and then after two years as president of a trucking corporation, Governor for three more terms. Of these successes he does not write boastingly, but it is easy to see that he enjoyed them thoroughly. Of his unsuccessful campaign as presidential candidate he writes with frankness though without bitterness. He makes an unusual suggestion in proposing that the people who vote for the unsuccessful candidate should be allowed representation by making him a senator at large and a leader of the minority party in the Senate.

He explains his advocacy of administrative reorganization, the short ballot, the executive budget, conservation of water power, and of workmen's compensation and other social measures, but he does not give Mrs. Moskowitz the credit that Pringle gives her for planning his program of social measures and his general political attitude. That is too much to expect, and it is true that Smith, for all his dislike of reading in general, has been a real student of the governmental and social reforms that he has advocated. He is proud of his open-mindedness and his willingness to bow to the will of the majority as in the case of woman suffrage; and he wisely refrains from saying, as Roosevelt did, that he made the people think what he felt they ought to think. He prides himself on his Republican friends—Elihu Root, George W. Wickersham, Jacob Gould Schurman, Henry L. Stimson, and others, and tells how he appointed them to office. On the other hand, he points out the steady opposition of the Republicans in the Assembly, broken down only by his appeal to the people, with the result that Smith gained the credit for the legislation and his opponents were blamed for trying to block his plans. He is to be commended in his desire to avoid glittering generalities so often dispensed by politicians, and, instead, to take up only one subject in a speech, dealing with it thoroughly rather

than trying to cover many subjects. His frank expressions on prohibition and the religious question should be admired even by his political opponents.

The human interest of the account is stressed. Smith is very proud of his energetic old mother, his wife, and his five children, and the book is strewn with family photographs. His menagerie is second only to his family in his interests.

Tammany is touched on rather lightly, though due tribute is paid to Murphy and others. Smith, being stronger than Tammany, does well not to stress this relationship.

Of his plans for the future, he gives us no intimation. Neither does he tell us of the necessary adjustment of a man who, after being practically all his life in the public service, suddenly finds himself out of it. After seventeen oaths of office at Albany, four of them as Governor, how does it feel to be a private citizen again? He does not go into this, but he had not had time for adjustment when this book was written. His very title, "Up to Now," suggests that perhaps he thinks he may not have finished his public life.

FRANK M. STEWART.

The University of Texas.

Wriston, Henry Merritt, *Executive Agents in American Foreign Relations*. (Baltimore: The Johns Hopkins Press, 1929, pp. xii, 874.)

The place of executive agents in the conduct of American foreign relations is at once one of the most interesting and one of the most neglected phases of American diplomacy. Here at last an attempt has been made to treat the subject adequately so far as records are available. That it should not have been attempted sooner is not, after all, strange; for a satisfactory treatment would demand a working knowledge of both constitutional and international law and practice as well as a rather comprehensive knowledge of American and world history and the history of international relations. Then, too, there is the great labor involved in working through the archives of the Department of State. None will fail to commend the author for his courage, his diligence, his persevering labor, and the generally high quality of his printed results.

In attacking his problem the author devotes some four chapters to a careful analysis of the origin and constitutional position of executive agents. The remaining chapters deal with the range of practice, the agents being, for this purpose, classified according to the objects of their missions, as, for example, those sent to open relations, those sent to unrecognized states and governments, and those sent to international conferences. The connecting thread that runs through the whole long story is the seemingly endless conflict and competition between President and Congress for the position of dominance in foreign affairs. That the author takes the side of the executive in this conflict is never left in doubt.

It is the writer's opinion that the author makes his greatest contribution in the first part, i. e., in his study of the origin and the constitutional aspects of the problems. It is a long story of congressional attempts to curb presidential prerogative and freedom of action and of presidential efforts to prevent or evade congressional restrictions. The battle ebbed and flowed,

but in the main victory rested with the presidents. The act of 1913 marked a victory for Congress, but that measure was an accident and is so clearly an invasion of the constitutional prerogatives of the president as to render it reasonably certain that it will be generally honored in the breach.

The second part is a valuable collection of precedents. To gather them the author waded through a great mass of material involving hundreds of situations and agents. The method of arrangement whereby agents were grouped according to the purpose of the agency is probably fortunate, although it involved some duplication. Some criticism might be made of the length and detail of this part, but a treatise that aims to be a fairly complete collation of precedents on this subject must be lengthy. The alternative is incompleteness or a change in purpose. That some mistakes in details might be found is probable; for example, the author speaks of treaties "not ratified" by the Senate (p. 754), but this is after all, a detail, even though one rather important. The author may not be justly criticized for the sketchiness of the material dealing with the last forty or fifty years; for the archives covering executive agents in this period are still closed.

For this valuable treatise the author merits—and will undoubtedly receive—the approbation of all serious students of American diplomacy and constitutional law. He has given us a careful study both of the constitutional law and of the precedents in the case.

CHARLES A. TIMM.

The University of Texas.

Sorokin, Pitirim, and Zimmerman, Carle C., *Principles of Rural-Urban Sociology*. (New York: Henry Holt and Company, 1929, pp. xv, 652.)

The authors of *Principles of Rural-Urban Sociology* begin their preface with the announcement that the volume is a "concise summary" of a more comprehensive and fundamental study soon to be published. To the reader of its six-hundred-fifty-odd pages, however, it is not at once apparent that there have been omissions or contractions for the sake of brevity. On the contrary he is impressed throughout with the wide variety of topics admitted and the detailed thoroughness with which they are treated.

After defining their subject as "every field in which the rural and urban social phenomena show or may show any tangible typical difference," Sorokin and Zimmerman undertake to present comparisons between city and country populations from all parts of the modern white world. Among the more strictly social traits considered are status, marriage rates, family life, criminality, immorality, intemperance, cultural inertia, religion, political attitudes, and behavior, esthetics, and attitudes of individualism and collectivism. Other rural-urban differences dealt with include some related to social life only by the bonds of cause or effect. Among these are rural-urban migration, bodily characteristics, health and disease, suicide, mortality, and intelligence. A wealth of statistical material and references to earlier studies attests the diligence of the authors and lends weight to their conclusions.

In some instances perhaps the conclusions are little more than learned statements of obvious commonplaces, but it is comforting to have our ancient beliefs reaffirmed and backed up by tabulations of figures. All the more so

in view of the fact that many commonly accepted notions about the differences between the city and the country are shown to be absolutely false, for example, the current suppositions relative to the physical differences between urbanites and farmers. In other cases the observed differences are found to be more apparent than real.

The relations between city and country have practically always been hostile. So general is this condition that nearly every person in our society has inherited strong biases in favor of the group with which he is identified. Writers on rural sociology have not escaped the effects of their environment, and consequently their studies have more often than not been strongly prejudiced. The book under review is in this respect a conspicuous exception. It carefully avoids judgments for or against. This is a most admirable quality; it begets a confidence in the statements of the authors unattainable in any other way. But impartiality is not carried to the point of indifference. Consciously or unconsciously, the authors give the reader a feeling that they have approached their task with sympathy and a conviction that the facts and explanations offered will speak for themselves. And so they do, with the result that the reader concludes he has just laid down one of the best books yet written in the field of rural-urban sociology.

CARL M. ROSENQUIST.

The University of Texas.

Schneider, Herbert W., *Making the Fascist State*. (New York: Oxford University Press, 1928, pp. xi, 392.)

Hullinger, Edwin Ware, *The New Fascist State*. (New York: Rae D. Henkle Company, 1928, pp. xiii, 298.)

In the foreword to the first of these books the author states:

My guiding aim in this study was to investigate the construction of fascist theories in terms of the varying practical situations into which the movement was forced by dint of circumstances. The fascist mind and imagination hold the foreground of this picture, while enough of the political history and economic problems of the movement is brought into the background to make clear how the *fascisti* intended their ideas to be applied. The interaction between fact and philosophic fiction, between practical exigencies and social theories, between mind and body, forms the dominant theme of the following interpretation of fascism. . . . I make this explicit statement here of my method, to save the reader the trouble of discovering for himself that this book is intended as both more and less than a history of fascism; it is a laboratory study of the mind and imagination at work (p. v).

In his pursuit of this end, Professor Schneider has written both more and less than a history of fascism: more than a history in that he has dealt with phases of fascism, as its philosophic background and content, which the historian would pass over with brief mention; and less in that the work is in no sense a detailed account of the rise of fascism. Indeed, the book lays no claim to completeness, except in so far as fascist ideology and methodology are concerned. If, however, one wishes to examine fascism



from this standpoint; if he wishes to know what the leaders of the movement are thinking and to hear them speak to him directly; and in particular if he wishes to see the fascist doctrine as a rationalization of constantly changing situations, he can do no better than to read Professor Schneider's book. There he will find an unbiased discussion of fascism, a discussion wherein the author neither charges nor defends, but only explains. It is hardly necessary to add that an impartial survey of the fascist movement is by virtue of its rarity worth the time of anyone interested in the subject which a reading will require.

The book is on the whole written acceptably. The writing is pervaded by a sense of realism, into which there creeps occasionally a note of gentle irony, and this combines with a vigorous mode of expression to give it an easy and readable style. Within the limits set, the author has written an unbiased and, so far as can be determined, an authoritative commentary on fascism.

The second book may be dealt with more briefly than the first. If Professor Schneider's book is primarily analytical in its approach, Mr. Hullinger's is largely expository and descriptive. Further, while the former is a scholarly work, though not depressingly so, the latter comes from the pen of a journalist and lecturer, and there are between the two most of the differences which such a statement implies. Scholars will judge the first to be much more valuable than the second, as undoubtedly it is; and they will condemn the second as superficial, and again their judgment undoubtedly will be the correct one. Mr. Hullinger's book is nevertheless a well written survey of the fascist movement as a whole; it is an interesting account of the new Italy.

ROSCOE C. MARTIN.

The University of Texas.

Watkins, George S., *Labor Problems*. (New York, Thomas Y. Crowell Company, 1930, pp. 726.)

The old edition has been vastly improved upon in this new work. Among criticisms of the old edition (Introduction to Study of Labor Problems, 1922) we remember the charge that it was "Dry bones without any flesh," that it was "so comprehensive and spread out so thin that no real analyses remained." Without question the first criticism has been met. Flesh has been placed on the bones. Even the pages have a better appearance. The second criticism certainly does not hold to the extent that it did. New materials have been added and certain parts have been omitted. Excellent summaries are found. Especially is this true of recent labor legislation. The whole content seems more substantial.

As the author says the book is revised and reset. It is revised and it certainly is reset. Entirely new chapter headings with almost entirely new content include Chapter V, Machine Technology and the Worker; Chapter VI, Industry and Aged Workers; Chapter XVII, Convict Labor and Free Wage Earners; Chapter XXVIII, The Adjustment of Industrial Disputes; Chapter XXIX, International Control of Labor Relations; Chapter IV, Standard of Living, and Chapter V, Wealth Income and Wages, in the old edition, have been condensed into one chapter in the new, Chapter IX,

Wealth, Income, and Standard of Living; Chapter XI, Unemployment, in the old edition is stretched into two new chapters, Chapters VII and VIII in the new and appears earlier in the volume; Chapter IX, Women in Industry, in the old edition, is expanded into two new chapters, Chapters XIII and XIV in the new; Chapter XVI, Labor Organizations—Government Aims and Practices, in the old edition, is expanded into two new chapters, Chapter XX, Labor Organization—Aims, Policies, and Technique, and Chapter XVI, Labor Organization, etc. (continued).

As a result of so much change and revision, the 1930 edition is almost entirely new. The work is readable and up-to-date (a rare feature in labor texts.)

For an undergraduate course and especially if only one course is given, this book will well meet the need. Excellent summaries of the literature are found in the book. The collateral reading references are well selected.

JOHN B. EWING.

The University of Oklahoma.

Reed, Ruth, *The Modern Family*. (New York: Alfred A. Knopf, 1929, pp. x, 182, xix.)

This is one of the most recent volumes on the sociology of the modern family. A general outline of the book includes a division treating the family from the standpoint of its place in the social scheme; the family in America; the disorganization of family life, and the social direction of family evolution.

The author seemingly accepts the instinct theory of the basis of family life, the emotional theory of monogamic marriage and family organization, and more or less the view that marriage is a privilege rather than a social or moral obligation. Whether or not there should be children born to a couple depends upon whether or not they would be convenient. Students in college probably should not even form a companionate marriage because their studies would be interfered with. However, a man or woman who is trying to get a start in the material things of life would be justified in a companionate marriage, or are not selfish if the birth of children is deliberately delayed. Much of the tension in modern family life is traceable to economic factors, both from the standpoint of family income and the changing economic status of the family unit and of women.

Apparently unmindful of the writings of the Le Play School, Westermarck, or Havelock Ellis, and of hosts of other European and American writers on the family, the author uses their thoughts if and when they serve the purposes of the study. Indirectly, numerous statements and illustrations creep into the body of the text without carrying the identity of the original author with them. The judgments of journalists and the *litterateurs* are cited on a parity with, or even in preference to, those of scholars and scientists who have given endless research to the sociology of the family and its problems. From the viewpoint of a scientific sociology, the book cannot lay claim to be either a masterly digestion of already existing thought or a presentation of original ideas. A greater portion of the statistical data used has been found in nearly all the introductory

sociology textbooks from Blackmar and Gillin's to the very recent. However, as a collection of opinions, not especially liberal but not conservative, the book has a degree of merit. It is neither a sentimental flash nor a dispassionately scientific masterpiece. It is certainly a discussion of the family flavored by feminism. Popenoe's statement that numerous children are really beneficial to the healthy woman is debunked with a crash. So is the idea supported by Groves that married men are better workmen than single men.

This book should find quite a demand among feminist groups of various sorts, in culture clubs, and among readers who can be content with a rapid skimming of modern thought relative to the family, but who lack the time and inclination to be able to enjoy reading Ogburn's section of *American Marriage and Family Relationships*, or Westermarck's tomes of illustrations.

O. D. DUNCAN.

Oklahoma A. and M. College.

Dunn, Frederick Sherwood, *The Practice and Procedure of International Conferences*. (Baltimore: The Johns Hopkins Press, 1929, pp. xiv, 229.)

This study was apparently suggested by the fact that the Committee of Experts, appointed by the League of Nations for the progressive codification of international law, included the subject in a provisional list of topics to be examined. In the development of his subject the author gave consideration first to the conference method in international relations, next to the factors determining conference procedure, then to types of conferences. These introductory chapters are followed by several dealing with the more significant procedural matters appearing in the great conferences from 1648 to the present time. The concluding chapter gives a summary of current practice.

The title is in some respects misleading; for the purpose of the author is not to prepare a detailed handbook for delegates but rather to indicate the principles governing procedural questions. What might have been a deadly array of facts, rules, tables, etc., becomes an enlightening and even interesting study of the evolution of principles. Enough of the historical setting of great conferences is given to enliven the discussion.

In large part it is a story of how "the practical needs of modern international intercourse have prevailed over the dogmatic observance of traditional practice." We are enabled to see rather well how the classical definition of conferences or congresses no longer holds; for these gatherings are no longer limited exclusively to relations of states as political units. The democratic dogma and the industrial revolution have served to render useless and meaningless many of the old procedural rules. The pluralism of modern society is clearly noted in the present tendency toward participation in conferences by nonpolitical organizations. Classical sovereignty is compromising with weighted votes, majority decisions, and the like. Politicians and diplomats are letting technicians into the charmed circles. Signature by delegates is now but a form, the more important step being ratification by the governments. Then, too, the League of Nations is playing a rôle of ever-increasing importance, not only in being the agency for initiating and carrying out projects of international action but also

in giving to international conferences a type of parliamentary organization. That the League will more and more play a definitive part in the evolutionary processes of conference procedure as well as in the agenda of conferences, seems scarcely open to question. That the rules and principles of procedure are not yet sufficiently well formed to justify codification seems equally without question.

CHARLES A. TIMM.

The University of Texas.

Petrie, Sir Charles, *The Story of Government*. (Boston: Little, Brown, and Company, 1929, pp. 329.)

This work, *The Story of Government*, is exactly what the title implies. Touching only the high spots in the long story of the origin and development of government as a part of European civilization, it nevertheless presents the essential facts in a brilliant and arresting manner. The growth of types of the state is first considered chronologically—the city state, the Roman world state, the medieval polity, and the modern national state. The greater part of the book, however, deals with modern government. A chapter is devoted to the benevolent despotism. Three chapters trace the history of modern democracy—The Rise of Democracy in Europe (Chapter VI), The Apogee of Democracy (Chapter VII), and The Decline of Democracy (Chapter VIII). Then follows a chapter on Government in America and a final chapter on The Future.

Of particular interest are the conclusions of the last chapter. The writer points out the present age of specialization and the consequent multiplication of centrifugal forces in the modern state. The result has been that "in more than one country the Parliamentary System has definitely broken down because of its failure to protect the citizen from loss in the war between Capital and Labour, but it is today faced by an even greater problem—that of controlling the greater industrial organizations which the amalgamations of small concerns are daily bringing into existence." Thus democracy is at present put to it to discover new mechanisms which will in some measure preserve its essence. "Is democracy, then, likely to be everywhere superseded by the dictatorship?" asks the writer. He answers the question by saying that "tomorrow the lion of autocracy will in all probability lie down in international amity with the lamb of democracy. Uniformity in politics, as in religion, is a thing of the past."

The presentation throughout is uniformly good. An excellent style and an ability to get to the heart of the problem of each great political age are the chief merits of the book. It indeed affords an excellent background for the student who is interested in the historical aspects of political science.

O. DOUGLAS WEEKS.

The University of Texas.

Blachly, Frederick F., and Oatman, Miriam E., *The Government and Administration of Germany*. (Baltimore: The Johns Hopkins Press, 1928, pp. xiv, 770.)

The reader will find no very great cause for disappointment in the present volume. None will gainsay the fact that the ambition to accomplish the



task to which the authors set themselves was wholly praiseworthy; for few problems in the field of administration offer greater rewards than that of ascertaining and setting forth analytically and critically the means by which the new German state has dealt with the administrative side of its government. Nor will many deny the truth of the statement that the authors have addressed themselves to the task which they have chosen with considerable success. The task calls for the placing of chief emphasis on administrative principles and practices, and to these matters they have given attention which seems quite ample, devoting the first half of the book largely to national, state, and local administrative organization and the last to such general fields of administrative action as justice, education, and economic enterprises. From the point of view of the student of administration, the treatment of these subjects would seem to be very satisfactory.

But the title of the book is *The Government and Administration of Germany*, which title Dr. Willoughby, in his preface, explains in these words: "Though the emphasis is placed upon matters of administration, these volumes will necessarily give an account of the governmental systems of the countries considered; since the administrative system of a country can only be understood as viewed in relation to the social and political philosophy back of it, the constitutional structure within which it works, and the ways in which it is affected by political action." Notwithstanding the preface and the promise which it gives, however, no attention is given to so important a subject as political parties, without an understanding of which it is believed no adequate conception of the workings of a parliamentary system of government, or indeed of any other type, can be had. It may be, though it is not here granted, that no discussion of the German party system was necessary in working up the setting for the administrative system of the German state; but without such a discussion the book hardly lives up to its title. As it stands, it might perhaps better have been called simply *The Administration of Germany*.

The above criticism should by no means be taken as being of sufficient weight to justify the predominance of any feeling on the part of the reader other than that of real appreciation of the work done by the authors. It is apparent that the book has cost them great labor: its almost eight hundred pages are well documented, though the footnotes are not from their number and volume obnoxious; the seventy pages of bibliography in themselves represent the fruits of an appalling amount of work; and the complete index with which the work is topped off will prove a real aid to the reader. And if the volume is heavy and awkward to handle, the blame lies not on the heads of the authors but on the publishers, who might well have selected a paper better adapted to use in a book of the length which this one reaches.

ROSCOE C. MARTIN.

The University of Texas.

#### BOOK NOTES

*Cost of Living Studies II, How Workers Spend a Living Wage*, by Jessica B. Peixotto (Berkeley, University of California Press, 1929), covers the expenditures of 82 families, more than half of the membership of a local typographical union. The analysis includes a consideration of the effects upon

expenditures of such factors as national origins, size of the families, and the age of the members. The sources of family income are separated and where the wife adds to the family income, some consideration is given to the conditions causing her to work for an income. As to the general findings, suffice it to say that the typical family spends money for food, good homes, and sober, substantial clothing.

Expenditures for recreation were made unless the family was hard pressed financially, but the average expenditure centered around \$150. The price seemed to be paid out of small economies. For education, two-thirds of the group spent less than \$50, the usual expense being a newspaper and one or two magazines. Contributions were made to either church or charity by 85 per cent of the families, but few contributed to both. Only nine families were making no provision for the future.

The best source for comparative data is found in the 1918-1919 Cost of Living Studies of the United States Bureau of Labor Statistics which deals with a group having larger average families and smaller average incomes. The significant difference shown by the comparison is in the size of expenditures for different items and not in a change of the type of expenditures.

The technique used in the study is carefully explained and worked out. Other studies of this kind would enable students of questions relating to wages to answer one of the most widely accepted and most damaging of arguments against the raising of wage incomes: workers would spend a higher wage in extravagance and hurtful consumption. Laborers might be better off with a larger income and the findings of this study tend to support that attitude.

R. A. A.

This volume, *The Development of Modern Europe*, Volume II (Boston: Ginn and Company, 1930, pp. xi, 661), by James Harvey Robinson and Charles A. Beard, as well as the preceding one, is based upon an earlier work by that name, which was originally published in 1907. Theoretically, therefore, it is a revision of the earlier work, but practically it is a new creation. The world of 1907 was so different from that of 1930 and so many epoch-making changes have occurred that no ordinary revision would have been acceptable in an undertaking of this kind. The magnitude of the task of assembling in two volumes a coherent explanation of world events for the past thirty years forced the authors to subordinate the chronological sequence and to confine themselves to an attempt to trace the leading issues that have arisen during that period. In order to do this properly the authors arranged the materials in successive divisions, with distinct topics in each division. Such divisions as: New Conceptions of the World We Live In, New Views of Man's Nature and Traditions, or Startling Experiments in Government, illustrate not only the problems to be met, but how Robinson and Beard met them.

The book is attractively bound, is well supplied with maps and bears the imprint of the hand of the master, both in literary style and selection of subject matter.

J. A. R.

*India's Political Crisis* is the title of a monograph written by Prof. William I. Hull and published early in the year 1930 by The Johns Hopkins Press. The book is in no sense a history of the events leading up to the

so-called crisis, nor is it a detailed analysis of the factors entering into and complicating the Indian situation. It is rather a story of the events which took place in Calcutta from December 22, 1928, to January 2, 1929, when the All Parties Convention and the Indian National Congress were in session. The story is developed largely by means of quotations from and references to the addresses and other public statements of the Indian leaders taking part in these meetings; and while the book profits from the advantages offered by such a method of approach, it also suffers, though not greatly, from its limitations. Thus on occasion the narrative becomes rather matter-of-fact. And while we are in a critical vein it may be noted in passing that the usual run of mechanical errors have been allowed to creep into its pages (e. g., p. 6, *if* for *of*; p. 67, in one line, *Ghandi*, in the next, *Gandhi*). These criticisms pale into insignificance, however, when one comes to an evaluation of the work as a whole. The author has stated the object of his book (p. v) as being "to present a detached, historical account of the events leading up to India's Political Crisis of 1929, and to interpret in an unbiased, nonpartisan manner the aspirations of the various political parties as to India's future." He has achieved his end quite satisfactorily: he has made no case; he has done little interpreting; he has, in short, allowed the records to speak for themselves. The result is a timely little handbook which will assist its reader to a better understanding of the events taking place in India since January, 1929.

R. C. M.

The law of municipal corporations as set forth in United States Supreme Court decisions is condensed and made easily accessible to city officials in Harvey Walker's *Federal Limitations upon Municipal Ordinance Making Power* (Columbus: The Ohio State University Press, 1929, pp. viii, 207). Naturally those engaged in drafting municipal ordinances will find the book most helpful. Dillon's and McQuillin's books on the subject are not always available in smaller cities, and besides they were published in 1911 and do not contain the later decisions. Cases are arranged according to the section of the Constitution under which the decision was rendered, coming under three main headings, the commerce clause, the contract clause, and the Fourteenth Amendment. Miscellaneous clauses are taken up in a fourth chapter. No attempt is made to include decisions of state courts nor of inferior federal courts. A good index, a table of cases, and ample footnotes make the work remarkably useful to the city officials who originally requested its compilation and to all city officials in the United States, for it applies equally to every state in the Union.

F. M. S.

Shutaro Matsushita's *Economic Effects of Public Debts* (New York: Columbia University Press, 1929, pp. 186) is of timely interest in view of the huge increases in national, state, and local debts since 1913. A review of the old and of the modern theories of the economic effects of public debts takes up half of the book, and though the treatment is brief, the fundamental points are presented. The author's own conclusion is that public debts are in themselves neither good nor bad, and that their economic effects depend primarily upon the purpose for which the debt

is incurred. Borrowing is held to be legitimate to cover casual deficits; to provide funds for emergencies, such as wars and natural calamities; and to finance public improvements. In connection with the last named purpose there is a discussion of the pay-as-you-go versus the borrowing policy. A useful bibliography is a part of the volume. E. T. M.

In *The Story of Money* (New York: Frederick A. Stokes and Company, 1929, pp. xvi, 411), Norman B. Angell adventures into what is for him a new field of writing and with very successful results. Two of the chapters, however, are credited to other writers. The book is in the main historical in its subject matter. The last chapter, however, is theoretical, but it is merely a compendium of the views of English and American students of money on the methods of correcting the instability of the value of the monetary unit. While there is nothing original in the book, it has a value nevertheless and that is its popular treatment of the history of money from the time of Ancient Greece to the present. The wealth of excellent pictorial illustrations adds much to the usefulness of the book.

E. T. M.

With a fifth volume Albert Bushnell Hart has brought his *American History Told by Contemporaries 1900-1929* (New York: The Macmillan Company, 1929, pp. xxi, 917), up to 1929. Like the other volumes this one is valuable in selecting noteworthy contemporary opinion concerning all the phases of modern American life. The titles of the parts of the book furnish an indication of the scope of the selections: The Land and the People, Government and Dependencies, International Aspects, Domestic Problems and Advances, Administration Methods and Expedients, The Human Relations, National Leaders, The Arts and Sciences, The World War, and Aftermath of the War. It is impossible to summarize the contents of the two hundred and eight accounts. All of them are telling in their reflection of the modern United States and its people.

R. M. S.

In their *Rural Social Science* (Boston: Ginn and Company, 1929, pp. xi, 483), Gustav A. Lundquist and Clyde B. Moore have touched upon everything from rural architecture to the Farm Bureau, and, furthermore, have done it in an interesting and intelligible manner. This textbook is designed for use in general courses in the social sciences in rural high schools, and is equipped with the customary pedagogical implements such as questions and problems for discussion and suggested readings. Over one-fourth of the volume, probably very fittingly, is devoted to a discussion of rural economic problems. Education, politics, religion, and social life are some of the other topics receiving consideration. The volume is comprehensive, well organized, and ably presented, and should be a stimulating adjunct to the teaching of the classes for which it is prepared. There is an excellent index.

V. O. K.

Harold F. Gosnell has collaborated with Charles E. Merriam in the preparation of a revised edition of *The American Party System* (New York, 1929, The Macmillan Company, pp. ix, 488), which Professor Merriam first published in 1923. Two new chapters have been added, one on Ballot and



Election Laws and another called Popular Interest in Voting, which is based largely upon the findings of studies made in Chicago and published as *Non-Voting: Causes and Methods of Control* and *Getting Out to Vote*. Several minor revisions and additions have been made, and the value of the book is enhanced by the inclusion in the footnotes of numerous citations to recent material. The discussion of the spoils system remains the most comprehensive treatment of the subject, and this, with the new chapters by Dr. Gosnell, gives the volume considerable claim to distinction.

V. O. K.

*Concepts of State, Sovereignty and International Law* (Baltimore, Johns Hopkins Press, 1928, pp. xx, 200), by Johannes Mattern traces the development of the juristic concept of sovereignty from Bodin to the present and the influence of other theories upon it. The effects of the compact theory, the eighteenth century revolutionary theory, and the theories of Kant, Hegel, and Fichte are evaluated. The doctrines of the Austinian school, Willoughby's juristic conception of the state and Vinogradoff's modification of that conception are next considered. Then follows a treatment of the ideas of the Duguit-Laski school. Finally, conceptions of the Austrian and German schools are presented. The book concludes with two chapters dealing respectively with The Juristic Conception of the State Restated and General Applicability of the Juristic Conception of the State.

O. D. W.

Earl R. Sikes' *State and Federal Corrupt-Practices Legislation* (Durham, Duke University Press, 1928, pp. 321) is a careful summary of the corrupt-practices legislation and relating court decisions of the United States. Bribery, Intimidation, and Fraud are the concerns of the first three chapters. Chapter IV deals with the regulation of political advertising. Three additional chapters consider state and federal regulation of campaign expenditures. The appendix consists of six tables summarizing state legislation. A comprehensive bibliography is also attached.

O. D. W.

*Carlyle's Theory of the Hero* (Durham, Duke University Press, 1928, pp. 212) presents a thorough treatment of one of Carlyle's characteristic theories. No doubt modern interest in the subject of leadership and recent reexamination of the eighteenth century doctrines of equality, as the writer indicates, require a revaluation of Carlyle's teachings. The sources, growth, and content of the theory of the hero are set forth, together with criticisms of the idea and a consideration of its influence in Carlyle's work.

O. D. W.

*The Speaker of the House of Representatives since 1896* (New York, Columbia University Press, 1928, pp. 347) by Chang-Wei Chiu is a fitting sequel to Miss Follett's work on the Speakership which was published in 1896. Not only is it a faithful and detailed exposition of the radical changes which have been brought about in the office during the past generation, but it is a thorough commentary on the development of the present party organization and of many important phases of procedure in the House of Representatives. The book is indispensable to students of legislative organization and procedure.

O. D. W.